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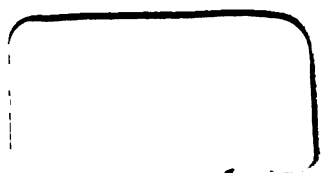
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1990



Rev. W. McKeen

REPORT

OF THE

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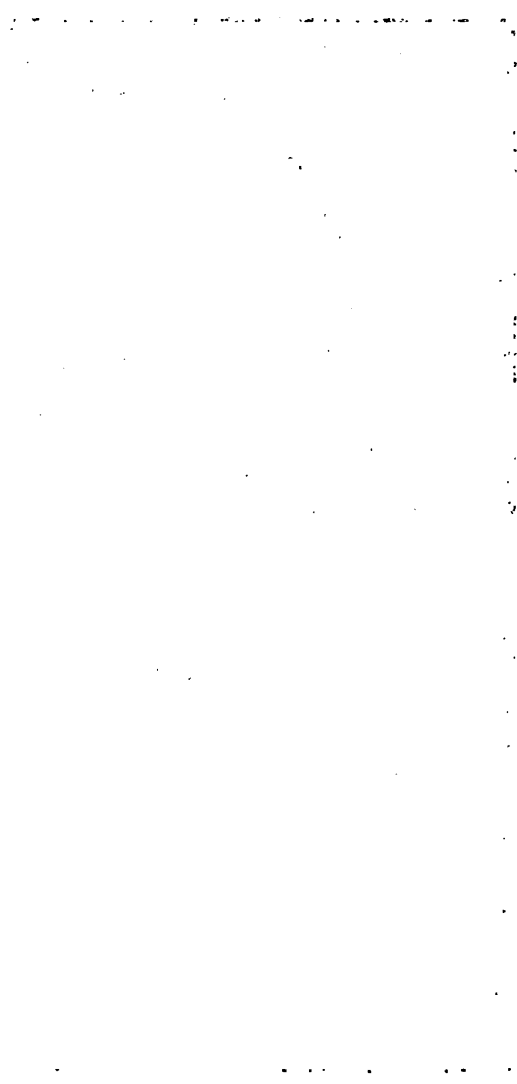
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1872

REPORT

OF THE

THIRTY-EIGHTH ANNUAL MEETING

OF THE

American Bar Association

HELD AT

SALT LAKE CITY, UTAH

AUGUST 17, 18, and 19, 1915

BALTIMORE:

THE LORD BALTIMORE PRESS

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TRANSACTIONS
OF THE
THIRTY-EIGHTH ANNUAL MEETING
OF THE
American Bar Association
HELD IN
SALT LAKE CITY, UTAH.

August 17, 18, and 19, 1915

FIRST DAY.

Tuesday, August 17, 1915.

The Thirty-eighth Annual Meeting of the American Bar Association convened on Tuesday, August 17, 1915, at 10 o'clock A. M., in Assembly Hall, Salt Lake City, Utah, President Peter W. Meldrim, of Georgia, in the Chair.

MORNING SESSION.

The President:

The Association will come to order. Former Presidents of the Association and Members of the Executive Committee, are requested to take seats upon the platform. I present Herbert R. MacMillan, of Utah.

Herbert R. MacMillan:

I take pleasure in introducing the Hon. William Spry, Governor of the State of Utah, who will extend a welcome to the members of the Association.

Governor Spry:

This is a pleasure that comes very seldom—an opportunity to extend a brief word of welcome to so many distinguished people. It goes without saying that the people of Utah are glad

you are here. We are glad that you saw fit to hold your convention in Salt Lake City, because of the fact that we were desirous of knowing more of you and of having you know more of us. It is a good thing for men to meet occasionally and look into each other's faces. They know each other better, and perhaps there comes a time when through co-operation greater things may be accomplished because of that knowledge and through that association. The people of Utah want the people of the United States to know them as they are, and the only way to know them is for our friends to come in among us and rub shoulders occasionally. And so we are glad that you are here. We are glad that you have met together to discuss certain problems connected with your profession, and we sincerely hope that from your deliberations much good may result.

We regret very much that you are not staying over, for I understand most of you are devoted to your work during the meetings, and that you may not be able to take as much time away from your duties as we should like to have you take, for out here we have very many things to show you. A gentleman who came on from New York recently said he was very much surprised at what he found here because he had always been under the impression that there were just three things that Utah was noted for, the Mormon Temple, Great Salt Lake, and the Great American Desert. I said: You have overlooked one, there are four things, and that is Death Valley on the other side of us. And he suggested that it had been a good thing for him to come here and look around and see the people and some of the wonderful resources of which Utah is so proud. It may interest you to know that we have very many things here that are little known to the rest of the people of the United States. We have mountains of iron ore, we have mountains of copper—we have one plant just west of here, that I would like very much to have you see, which is producing approximately 35,000 tons of copper per day, and is the cause of distributing nearly \$1,000,000 a month in Utah. These are some of the big things that we have. We want you to see the Great Salt Lake. We want you to taste of its saltiness. Not much of it, however, but sufficient that you will know just how salt it is. We have salt enough there to pickle the world. As a matter of fact, if

the good people want their pickles sweet, we are making enough sugar here in Utah to sweeten them—very much more sugar than we can consume ourselves—and we hope to have great factories established here in the near future so that we may be able to continue the sweetening effect that we desire to produce upon the nation. Then, too, we are noted for our silver mines, our gold mines and other precious minerals, and lead mines. Best of all we are noted for our people. We regard our men and our women, our boys and our girls, as our chief asset; and we are endeavoring in our weak way—for necessarily we are weak because of our numbers—to prepare the boys and the girls of this state for future citizenship. We have little more than 400,000 people in the entire state. Not nearly so many as there are in some of the cities from which many of you come. Yet out of that population we have in this year upwards of 121,000 children of school age on our school census—children between the ages of six and eighteen years; and, taking the youngsters from six years of age down, it is reasonable to believe that fully one-third of our entire population is under the age of 18 years. We are taking from the taxes of the state, from the revenues derived from taxation, upwards of 88 per cent for the education of these boys and girls. We are expending in one way and another from the state university down to the little school in the district upwards of \$5,000,000 annually for the boys and girls. So you see that we are attempting as best we can to keep pace with the educational music that is set by the rest of our states, and we feel that with that care and attention which we are devoting to the boys and the girls they must of necessity take front rank with the boys and girls of the rest of this union. We are teaching them love of country, love of the flag. Only recently the Salt Lake High School cadets numbering upwards of 400 made a tour of California as a representative body, as an evidence of what can be done by the people of Salt Lake City in the training of boys. Those boys averaged perhaps 15 years of age, and they acquitted themselves like trained men, and naturally brought credit not only upon the city but upon the state and the people who are devoting of their means for such accomplishment. We have great hopes and great ambitions here in Utah. We have very much to be thankful for. We are very proud that a generous

Creator has lavished so many temporal blessings upon us. All we ask is more people. We have the land, we have the water, we have the resources, and all we need is the people to come and help us develop them.

So our arms are open in welcome to all those who may come among us so that they may join hands with us in helping to make of this State of Utah what it can be made. For that reason, as well as for many other reasons, we are more than pleased to welcome you to the State of Utah. And we want you to know that while here you must feel at home; we want you to feel that you may help yourselves to anything that you find here. We take it for granted that should trouble result there is not one of you but will be able to defend himself properly and successfully. You will find an hospitable people in Salt Lake City who will devote their time and their attention to caring for you and looking after your wants. We want you to feel that not only our doors are open to you, but our hearts also, and that our homes are open for your entertainment and enjoyment. We want you to feel while you sojourn in our midst that you are in every sense and in every particular in the hands of your friends. So that the impression may be made upon you, even though you may have to leave now, that we want you to come again in the near future and that there shall always be a desire in your hearts constantly prompting you to come back to your friends in Salt Lake City.

Herbert R. MacMillan:

It is next my pleasure to present a man with whom you are all acquainted and who therefore needs no introduction—George Sutherland, United States Senator from Utah.

George Sutherland:

The Bar and the people of Utah are profoundly appreciative of the honor which your presence here in their capital city has conferred upon them. In their name and in their behalf, to repeat what Governor Spry has just said, I am directed to extend to you not only the welcome of their open gates, but that of their open hearts as well. Our pleasure at your coming, which is quite beyond the power of any words of mine to express, is tempered with one regret: that is, that your stay with us will be so short.

The American Bar Association represents a profession which for many centuries has exerted a potent influence upon the development of political institutions, for it deals with that great stabilizer of human conduct, the law, without which government itself could not exist. A wise law is the sweetest fruit of the human reason, but, since human reason is not infallible, many unwise laws have from time to time found their way into the statutes of the country. I strongly suspect that I have myself been present upon more than one of these unhappy occasions, although I trust an inspection of the record will disclose that I have not always been present as *particeps criminis*.

It is one thing, however, to ask that our laws shall be laid in wisdom, and it is quite another thing to expect them to rise in perfection. Many of our laws are wise. Few of them—perhaps none of them—are perfect. The explanation, or at least one of the explanations, lies in the nature of things. If a law is to be a rule of conduct it should be precise and definite in its terms, for manifestly a rule made to be observed should be made to be understood. At the same time, however, to the extent that a law is precise it will be inelastic; and, since it deals with conditions of great variety and mutability, it will continually fall short of perfection in its application to the various cases which it governs. So it is that both legislator and judge are called upon again and again to sacrifice the fine gradations of ideal justice for the rough and ready advantages of certainty. When we come to add to this difficulty—namely, the practical difficulty of expressing in terms of legislation the exact shades of meaning which we may think it desirable to express—the further difficulty that half of the time the majority of us do not know what it is that we really want, the wonder is that the law is not in a worse predicament than the late Mr. Bumble conditionally suspected it to be. It seems a simple thing to say that of course the ill-doer should be punished and the well-doer should be protected, but in this day of vast changes and of vast growth in our social and business and political affairs and relations the separation of the things that are ill from the things that are well is by no means as simple a proceeding as some of our impatient reformers would have us imagine. On the contrary, it has become a highly delicate and complex problem, demanding great patience and care and deliberation for its correct solution. The legislative mind

both state and national, however, is apparently obsessed just now with the notion that everything should be controlled and controlled forthwith by legislative fiat: not only the things that are more or less evil, but things that are only more or less objectionable, and occasionally even things that are merely more or less opposed to the canons of good taste. The consequence is that we are beset and bedeviled by a constantly increasing accumulation of statutes and bureaus and commissions and governmental activities and agencies of all sorts which hamper and embarrass the legitimate activities of the well-meaning citizen, in many instances to an extent wholly out of proportion to the good which they can accomplish. In this situation the attitude of this great organization becomes of supreme importance. That attitude, if I understand it, is that without ceasing to be sanely progressive it nevertheless on the whole exercises a restraining influence upon the ultra-radical tendencies of the times. In its deliberations its constant reliance is the wise traditions of a noble profession, and while it does not reject anything simply because it is novel it holds to the old doctrine that wisdom is wisdom even though it be inherited instead of being presently invented.

And so we who believe that the faith of the fathers may sometimes still remain the hope of their sons, and we who cling with reverent affection to the ever-living principles which they established and taught may here find congenial and sympathetic association.

You have held your meetings in many cities whose population exceeded that of Salt Lake City, but you have never met in any city where the fine quality and the great value of your work were more cordially and intelligently recognized. We understand, of course, that you are here primarily for serious business, but, to the extent that a proper realization of that purpose will permit, we shall hope to be able to contribute in some degree towards making your visit one of pleasurable remembrance as well.

The President:

Governor Spry and Senator Sutherland, in behalf of the Association I beg to thank you, and through you the good people of this splendid city and great state, for your gracious welcome; a welcome that is as genial as your sunshine, as strong as your

mountains. We indulge the hope that our meeting here will bring us into closer and finer touch with each other, and that when we shall have departed to our distant and several homes, sometimes you may feel that our visit has accomplished something for the advancement of jurisprudence, the cause of peace, the glory of our common country, and the betterment of humanity.

The President then delivered his address: "The Lawyer."

(See the *Appendix*, page 313.)

The Secretary:

I direct your attention to the statement on the program that state delegations are to meet in this hall at the close of this session to nominate members of the General Council, and also to select a Vice-President and Local Council for each state. As the new General Council must be organized, the selections should be made promptly.

I request you to look at the first printed list of members in attendance, and to report to one of the assistant secretaries any errors discovered.

I am instructed by the President to announce that appointments to the Committee on Publications are as follows:

Carroll T. Bond, of Maryland.

* Charles Noble Gregory, of District of Columbia.

Edmund F. Trabue, of Kentucky.

Francis M. Burdick, of New York.

T. Moultrie Mordecai, of South Carolina.

It is desired that those members of the committee who are in Salt Lake City do meet and confer as to their duties.

Announcements were then made of the respective places of assembly of state delegations at the close of this session of the Association.

Assistant Secretary Kemp:

The Comparative Law Bureau will meet this afternoon in the Presidential Suite of the Hotel Utah. The Special Committee

* Charles Noble Gregory having subsequently declined the appointment, President Root appointed George Sutherland, of Utah, in his place.

on Reports and Digests will meet at 9 o'clock tomorrow morning in the ballroom of the Hotel Utah.

The Nevada Bar Association, as announced in the July JOURNAL, will give a special excursion to Lake Tahoe, to all members who will stop off at Reno on the way to California. Charles J. O'Connor, of Chicago, Room 930, Hotel Utah, desires that all members wishing to take this trip leave cards in his box at the hotel.

The California Bar Association extends an invitation to the members of this Association to attend its meeting in San Francisco on August 24-26. You are requested to notify Mr. O'Connor by card if you intend to go to that meeting.

The Society of Military Law will meet in Room C-38, Hotel Utah, at 2.30 today.

The Secretary submitted the Secretary's report, which was received and filed.

(See Report at end of Minutes, page 57.)

The report of the Executive Committee was then presented by the Secretary who said:

I wish to direct attention to several recommendations by the committee to amend, in formal respects, the Constitution and By-laws of the Association:

(1) That the annual dues include the cost of The American Bar Association Journal, which, to members, is \$1.50 a year; all other publications of the Association to be free to members.

This amendment is to conform to postal regulations of the government.

(2) To constitute a standing committee to be known as the Committee on Noteworthy Changes in Statute Law.

(3) To change the name of the Committee on Commercial Law, pursuant to the request of the committee itself, so that it shall be hereafter known as the Committee on Commerce, Trade and Commercial Law.

(4) To amend Article XI of the Constitution by adding at the end thereof the words: "and others over which the United States exercises extra-territorial jurisdiction."

This recommendation is at the suggestion of Charles S. Lobingier, Judge of the United States Court in Shanghai, China.

On motion of F. A. Fenning, of the District of Columbia, duly seconded, the report was received and its recommendations adopted.

(See Report at end of Minutes, page 79.)

The Treasurer submitted his report which was referred to an auditing committee consisting of Rome G. Brown, of Minnesota, and John T. Richards, of Illinois.

(See Report at end of Minutes, page 60.)

Assistant Secretary Kemp:

The meeting of the Judicial Section will be held this afternoon at 2 o'clock and the meeting of the Section of Legal Education will be held this afternoon at 3.30 o'clock.

Joseph N. Teal, of Oregon:

In connection with the announcement of the Washington-Oregon Bar Association meeting at Portland next week, I desire all the members of this Association to know that they will be very heartily welcome. Mr. Taft has already promised to be present, as well as other gentlemen of national repute.

The President:

The American Bar Association feels very much indebted to the gentlemen of the Washington-Oregon Bar for their courteous invitation.

The Chair desires to say that the Annual Address is to be delivered this evening by Senator Bailey. It is to be followed by a concert. It is requested that you meet promptly in the Tabernacle at 8 o'clock.

Adjourned to 8 o'clock P. M. the same day.

EVENING SESSION; HELD IN THE TABERNACLE.

Tuesday, August 17, 1915.

The President:

It is proper on a great occasion like this, in a great building like this, erected by a great people, that a great subject—that of The Judiciary—should be presented, not only by a great senator, but by a great lawyer. Permit me to introduce to you Joseph

W. Bailey, of Texas, the lawyer, who speaks upon "The American Judiciary."

Joseph W. Bailey, of Texas, thereupon delivered the annual address.

(*See Appendix, page 329.*)

The Secretary:

It is essential that members register in the Secretary's office tomorrow. If their names are not then registered, they will not appear in the final edition of those in attendance. It is hoped that everybody will pay prompt attention to this notice.

I have received this evening from Sir James Aikins, President of the Canadian Bar Association—an Association founded upon our own as a model—the following telegram:

"I fear the Canadian Bar Association may not be represented at your anniversary meeting. The Canadian Association sends greeting and wishes your Association a most successful meeting."

The President:

The Chair will direct the Secretary to communicate to Sir James, on behalf of this Association, our deep regret at his absence.

The Secretary:

Members are requested to secure their banquet tickets at once, the number of tickets being limited.

The President's reception will be given at the Hotel Utah, at the close of the concert.

Members of the General Council were then duly elected.

(*See List of General Council, page 115.*)

Adjourned to Wednesday, August 18, at 10 A. M.

SECOND DAY.

MORNING SESSION.

Wednesday, August 18, 1915.

The President:

The Association will come to order.

The Secretary :

I beg leave to suggest that it will be in order to appoint the usual committee on the preparation of resolutions of thanks, and I make a motion to that effect.

The President :

If there is no objection, the Chair will make the appointment.

The Secretary :

I have a telegram addressed to the President from William C. Dix, of Philadelphia. He suggests that a committee be appointed from this Association to confer with the Committee of the Latin-American Republics on the organization of an international supreme judicial court.

The President :

If there is no objection, the matter will be referred to the Executive Committee.

The Secretary :

I call attention to the Saltair Excursion fixed for this afternoon. The Utah members, solicitous as always, for our welfare, have this warning about the use of Salt Lake as a swimming pool: be careful not to get water into the ears, mouth or nose. The sententious observation is added that the balance is easy. Any position may be assumed except to stand on one's head. For details I refer all members of the Association to Herbert R. MacMillan, of Utah, as bathmaster.

The Chair announced the following appointment of a Committee on Resolutions:

Hampton L. Carson, of Pennsylvania.

T. Moultrie Mordecai, of South Carolina.

Platt Rogers, of Colorado.

Charles E. Shepard, of Washington.

John Lowell, of Massachusetts.

The report of the Committee on Jurisprudence and Law Reform, was presented by William A. Ketcham, of Indiana.

William A. Ketcham :

The report is only signed by four out of the five members of the committee. Francis Rawle, of Pennsylvania, is of counsel for the Italian Consulate, and thinks that he ought not to be a party to the report, which covers matters concerning the rights of aliens as provided in the Bartholdt Bill.

I move the adoption of the report; and ask for a division of the question, so that each matter may be acted upon separately.

The President :

Will you state the first proposition ?

W. A. Ketcham :

The first proposition is upon the adoption of the Bartholdt Bill with respect to the right of the United States to prosecute actions; the committee recommends striking out the provision in the bill that the government may prosecute with the consent of the individual citizen.

The President :

The question is on the first recommendation, which is to strike out of Section 1 the words: " Aliens whose rights are affected may be joined as complainants with the United States in such equitable proceeding "; and in Section 2 to strike out the words " and the consent of such citizen or subject of a foreign country, party defendant. "

W. A. Ketcham :

I asked that the questions be put separately.

The President :

The Chair stands corrected.

The question was then put upon the first recommendation, which was carried.

W. A. Ketcham :

The second recommendation arises on the provision which requires that whenever a claim is filed against the United States, and it appears that there has been unreasonable delay, interest shall be allowed pending the litigation at the rate of 6 per cent,

and that the judgment against the United States shall bear interest at that rate. The committee is of the opinion that as the United States pays only three and four per cent, this rate of six per cent would be too much of a punishment against the United States for the act of a negligent official, and that the matter should be left to the discretion of the trial court to allow not less than three nor more than four per cent pending the litigation, the judgment itself to bear four per cent interest.

Ernest Morris, of Colorado:

I do not agree with the recommendation that the rate of interest payable by the United States should be reduced. I think the matter should be looked at from the standpoint of the creditor, not from that of the debtor. Why should the United States, when it comes into court, be a more favored litigant than an ordinary creditor? The very fact that the United States is able to borrow money at two or three per cent should be all the more reason for paying its obligations promptly; and it should not be accorded a privilege which another litigant does not receive. I hope that this portion of the recommendation will not carry.

W. A. Ketcham:

The committee has endeavored to bear in mind not only the rights of litigants, but also the rights of the United States. No person could ever get a contract with the United States by which he was to have six per cent interest at any time, because no official would ever assume the responsibility of binding the United States to pay such interest when it only pays four per cent at the highest. There was an evil, as the committee thought, in the situation that a man might be held up indefinitely, and then get no return, but the recommendation is that whenever there is an unjustifiable delay, no less than three per cent, and, within the discretion of the court trying the case, no more than four per cent, ought to be charged, the judgment always to bear four per cent interest. No one is bound to contract with the United States, and if this should be the law every one contracting with the United States would know precisely what he is to get.

E. T. Florance, of Louisiana :

Do I understand that this interest refers to a contract, or to all obligations?

W. A. Ketcham :

It is to allow interest at a rate not less than three per cent. That is on all obligations. Whenever there is a claim against the United States, interest shall be allowed at not less than three nor more than four per cent from the time when the money should be paid.

Thomas I. Parkinson, of New York :

I move as an amendment to the pending motion, that this recommendation be recommitted for further consideration.

E. T. Florance :

I second the motion.

W. A. Ketcham :

I desire to say—

The President :

The Chair rules that a motion to recommit is not debatable.

W. A. Ketcham :

Then I ask unanimous consent to make a personal statement.

The President :

Unless there is objection, the gentlemen may do so.

W. A. Ketcham :

The committee consists of five members. Unfortunately only one member is here. I do not want to take the responsibility; I don't see how it could be referred to a committee of one when the law says that it shall be a committee of five.

The President :

The vote having been taken, the motion to recommit is lost. The question recurs upon the recommendation of the committee.

Thomas I. Parkinson :

I do not believe that the question of the rate of interest on judgments against the United States is one upon which an

association of lawyers is peculiarly fitted to pass. It is not a legal question, and I think it unfortunate that the committee should ask this Association to pass upon it. Congress is very much the best body to determine the question; if Congress needs advice, it ought to come from an economic or financial body of experts, rather than from a body of lawyers.

The motion to agree to the recommendation was then put and lost.

W. A. Ketcham:

The last recommendation of the committee is on a bill that was presented in regard to insanity cases, and to regulate expert testimony. The entire bill has been approved by the committee except the third section for which we recommend a substitute. The bill was prepared either by Prof. Wigmore or by Prof. Keedy, or by both.

In view of the fact that there are comparatively few legislatures that will be in session until after the next meeting of the Association, and desiring to accommodate Prof. Keedy, as there is no special urgency about it, I ask that the matter be deferred until the next meeting of the Association.

The President:

The Chair hearing no objection, the matter will take that course.

W. A. Ketcham:

I move that the first section of the report be adopted, and that the third recommendation of the committee be referred for action to the committee on Jurisprudence and Law Reform under the incoming administration.

A. M. Christianson, of North Dakota:

I rise for information as to what the proposition is.

The President:

That the matter be deferred until the next meeting of the Association. This is on the request of Prof. Keedy, who is interested in the subject. The first portion of the report has been previously adopted. The question, however, now, is upon agreeing to the request of the committee that final action upon

the last proposition be deferred until the next meeting of the Association.

On vote taken the Chair announced that the motion had been carried.

The President:

The report has now been adopted, with the exception that the third recommendation is deferred for final action until the next meeting of the Association.

(See Report in Appendix, page 374.)

The next committee is the Committee on Judicial Administration and Remedial Procedure.

Frederick N. Judson, of Missouri:

I understand there is no report from that committee.

The President:

The Committee on Legal Education and Admissions to the Bar.

The Secretary:

There is no report from that committee.

The President:

The Committee on Commercial Law.

E. T. Florance, of Louisiana:

Francis B. James is the Chairman of the committee. I present at his request and in his absence the recommendations of the committee.

The first section of the report is merely preliminary. The report really begins on the subject of bankruptcy. There were, I think, six bills to repeal the bankruptcy act and about eight to change it—they all died with the session of Congress. Nevertheless, the committee thinks it well for the Association to reiterate its recommendations as to the advisability of not repealing the bankruptcy statute.

Clause 3 of the report is on the subject of the Cummins Bill. Last year the committee concluded to report disapproval of the Cummins bill in the shape in which it then stood. Prior to the meeting of the Association, however, the bill was passed by both

houses of Congress and signed by the President. The disapproval, however, of the committee remained in the report, and events have justified that disapproval. The Interstate Commerce Commission has gone up in the air trying to understand the Cummins Bill, which is so crude as to be almost impossible of interpretation. I do not know whether or not any member has had to pay ten cents for every extra hundred dollars' worth of luggage carried through the country. The committee asks that the Association permit the Executive Committee to appropriate, in its discretion, a sufficient sum of money to employ an expert draftsman to formulate a bill on the principles of the Cummins Bill, but a bill which shall be intelligible.

The other recommendation is a consequence of the first request.

The committee also reports under heading 4 as to the progress of national legislation on bills of lading. What is known as the Pomerene bill is practically the same as the Uniform Bill of Lading recommended by the committee and the Conference on Uniform State Laws and which has been adopted by a majority of the states. That bill was presented to Congress. The Interstate Commerce Commission found, however, that there were certain clauses in the bill which might be in conflict, or at all events, would be superfluous in connection with other congressional statutory work, and the Commission requested that that portion be changed. In the face of the criticism, which does not injure the bill, your committee concluded to recommend acceptance of the idea of the Interstate Commerce Commission. The other changes suggested by the committee are more of a clerical nature than otherwise, certain words included in sub-sections of the bill having been left out in later sections, evidently by inadvertence. The committee therefore asks approval of the bill in the form in which it appears in the appendix to its report. I move the adoption of the recommendations in the order in which they are read.

The President:

Will you proceed with the first recommendation?

E. T. Florance:

"That the American Bar Association pass a resolution renewing its adherence to the National Bankruptcy Act and author-

izing its Committee on Commerce, Trade and Commercial Law to oppose any measures that may be introduced in the 64th Congress to repeal the same."

On vote taken the recommendation was adopted.

E. T. Florance:

The second recommendation is subdivided into four paragraphs; but the adoption of the first will logically entail adoption of the other parts. I will, therefore, read the four without asking for separate action on each:

"That the American Bar Association pass a resolution in substance as follows: To authorize the Executive Committee of the Association, in its discretion, to appropriate a sufficient sum of money to enable the Committee on Commercial Law to employ a draftsman to prepare a tentative draft bill as herein described; that if the Executive Committee shall appropriate said money, the Committee on Commercial Law shall be authorized to employ a draftsman to prepare a tentative draft of a bill codifying the law covering the reciprocal rights, duties and obligations of common carriers and shippers in interstate and foreign commerce; that if said Committee on Commercial Law shall employ such draftsman said tentative draft bill shall be prepared under the supervision and direction of and subject to the revision of said committee; and that when said tentative draft bill shall have been revised by said committee, the committee shall submit the same at some future meeting of the Association for its consideration and action."

I move the adoption of this resolution.

Walter George Smith, of Pennsylvania:

I think the motion should be rejected. It is without precedent that the American Bar Association should offer itself as a bureau of drafting for an act of Congress. We ought not to put ourselves in that position.

Frederick N. Judson, of Missouri:

I concur in the remarks. I do not think it is our province to criticise Congress for not expressing an enactment in intelligible language. We may state our opinion of what Congress has done.

Edmund F. Trabue, of Kentucky:

I endorse everything that Mr. Florance has stated against the bill, but it is questionable whether there should be any legislation upon the subject at all. It is possible that Congress may repeal

the act and leave the case as it stands already worked out by numerous decisions of the Supreme Court of the United States, which many of us thought left the law in very satisfactory condition. To propose a committee to draft a bill assumes that there ought to be legislation, and would be an encouragement of legislation by the implication that the Association thinks there ought to be a bill drawn. It is better to leave the matter with the chance of a repeal, and the common law standing as already expounded by the Supreme Court.

Joseph N. Teal, of Oregon:

I understand the recommendation is that the committee be authorized to secure a draftsman to do the clerical work to carry out the views of the Association. Now, I cannot imagine that Congress would take offense at such action. As to whether or not there ought to be legislation upon the subject, is another question. There are many of us who have had to do with the Interstate Commerce Law and many of the questions arising under the act, who think that notwithstanding the decisions of the courts, the law is not in a satisfactory state and that the Cummins Act was intended to relieve the situation in certain particulars. I understand that it is purely a ministerial act this draftsman is to perform and largely in order that the committee may be certain of having their views expressed in the proper language.

E. T. Florance:

The committee has not asked for an appropriation to draft a bill on the subject of the Cummins Act in order to correct the action of Congress, but the Cummins Act and other acts of Congress are in a condition of considerable confusion; and what the committee has asked for is an appropriation to employ a draftsman to codify the law as it stands today. It is not for the purpose of drafting an act, but merely to codify the present law so as to make it entirely clear, and then to submit the codified statement of interstate commerce law to Congress for congressional action in concrete form. Congress can resent this, but I don't think it would be very creditable to Congress to believe that it would feel resentment. I do not think we are doing anything more than the Conference of Commissioners on Uniform State Laws in codifying

the law on a given subject and asking the states to enact it into a statute.

Walter George Smith:

The Conference of Commissioners on Uniform State Laws is specially authorized to do that work.

E. T. Florance:

Nevertheless, the suggestion comes from members of every state in the union.

The President:

The question is on the adoption of the recommendation of the committee, the substance of which is to submit to the Executive Committee, as matter of discretion, the appropriation of a fund, amount blank, for payment of an expert to codify the law on this subject, and submit the codification to this body, which, if approved, shall be submitted to Congress.

Nathaniel W. Ladd, of Massachusetts:

I inquire if it has been the policy of the Association to expend money for services of experts in the past?

The President:

I am unable to answer otherwise than to say that from an experience of many years I know of no such precedent. The Chairman of the committee may be able to answer the inquiry more definitely.

E. T. Florance:

I do not remember any such instance. I do not remember any occasion where the discretion of the Executive Committee on a matter pending before the Association has been considered unreliable.

Vote having been taken, the recommendation was approved.

E. T. Florance:

The third recommendation is:

"That the American Bar Association adopt a resolution indorsing 'A Bill Relating to Bills of Lading in Interstate and Foreign Commerce,' appended to its report as Exhibit B"—and known as the Pomerene Act.

On vote taken the third recommendation was approved.

E. T. Florance :

In connection with the report of the committee you will find that there has been a movement for uniform commercial legislation throughout the world. Indeed, there has been an international conference on the subject. Therefore, the committee makes this further recommendation :

"That the American Bar Association pass a resolution endorsing the foregoing movement looking to the bringing about of uniformity of commercial laws throughout the commercial world."

On vote taken the recommendation was approved.

(*See Report in Appendix, page 382.*)

The President :

The Committee on International Law.

The Secretary :

There is no member of the committee present. The report of the committee was published in the July JOURNAL. It makes no recommendation, but merely expresses the hope that the rules of international law, founded as they are on the obligations of humanity and justice, may recover and reassert their beneficent influence and authority.

W. A. Ketcham :

I suggest that that report be referred to the Kaiser.

The President :

The report requires no action on the part of the Association.

(*See Report in Appendix, page 420.*)

The President :

The Committee on Publications.

Simeon E. Baldwin, of Connecticut :

The committee has had a new duty thrust upon it during the last year by the action of the Association in authorizing the executive committee to initiate the publication of a periodical by the Association. As you all know, the Executive Committee voted to establish such a periodical ; its care was committed to the Committee on Publications. How well they have succeeded will depend on how the three numbers already issued strike the members of the Association here and not here.

The general thought of the Committee on Publications has been that the JOURNAL should not take the character of an ordinary legal review, but rather be a journal of the Association and of its regular agencies, including the Bureau of Comparative Law.

The report of the committee is in print in the July number of the JOURNAL; no action upon it is required on the part of the Association.

(See Report in Appendix, page 498.)

The President:

The Special Committee to Present to the Congress Certain Bills Relating to Courts of Admiralty.

George Whitelock, of Maryland:

The report of the special committee was printed in the July number of the JOURNAL. It will be recalled by members that the Association has already committed itself to the policy of three bills concerning courts of admiralty. One of those bills was passed by Congress and approved by the President of the United States several years ago. The other two are still pending. The more important is at present the proposed death statute. It is an important reform. Inasmuch as there has been some difference of view about the precise phraseology of the bill, a slight modification in text may be necessary, but no change in principle. I read the last few lines of the report, recommending the continuance of the committee and adherence to the policy heretofore declared by the Association:

"The special committee now recommends that it be further continued, with directions to endeavor by all proper measures to procure the passage of the proposed death statute, and also of the proposed statute to authorize suits against the United States for damages by government vessels, in conformity with the policy heretofore declared by the Association, and with power to make, in the discretion of the special committee, such amendments of phraseology in either of the bills as it may deem appropriate or expedient."

I move the approval of the report and the adoption of its recommendations.

On vote taken the motion was carried.

(See Report in Appendix, page 528.)

The President:

The Committee on Grievances.

The Secretary:

There is no report.

The President:

The Committee on Law Reporting and Digesting.

The Secretary:

There is no report.

The President:

The Committee on Patent, Trade-Mark and Copyright Law.

The Secretary:

There is no report.

The President:

The Committee on Insurance.

Ashley Cockrill, of Arkansas:

In the absence of Mr. Vorys, Chairman, and at his request, I submit a brief report from the committee. The committee was directed in 1913 to co-operate with the committees of Congress in drafting a so-called model code for the District of Columbia. A tentative draft was proposed and circulated among insurance lawyers, insurance officials, and others interested, with a view of getting criticisms. In 1914 the Association instructed the committee to continue the preparation of the proposed code, and when it should be completed to report it to the Association and to the committees of Congress. During the last year, the committee has devoted considerable time to the work. At a meeting held in May various amendments and modifications were approved. The committee is not ready to make a final report; it desires further time. I move that the committee be instructed to proceed with its work.

On vote taken the report was accepted and the motion adopted.

(See Report in Appendix, page 435.)

The President:

The Committee on Taxation.

The Secretary :

There is no report.

The President :

The Committee on Uniform State Laws.

Charles Thaddeus Terry, of New York :

A brief word, with reference to the work of the committee. In co-operation with the Commissioners on Uniform State Laws, who, as you all know, are the official representatives of the states for the purpose of unifying the divergent laws on subjects of interstate interest, the committee has had under consideration four uniform bills which have been recommended, after approval by the Conference, for adoption by the various states. Those four bills are bills on Partnership, Workmen's Compensation, Cold Storage, and Acknowledgments of Deeds and Other Instruments taken outside of the United States.

No greater zeal has been employed along the lines of statutory progress than that bestowed by the Conference of Commissioners on Uniform State Laws, in co-operation with this committee. With great patience, over periods running from two years in the case of the Cold Storage Act to twelve years in the case of the Partnership Act, and with great thoroughness, in debate, in committee hearings, in listening to experts, in submitting tentative drafts to men whose interest and experience would entitle them to speak with reference to them, the Conference and this committee have done their work and they now present for your approval these four acts.

One word with reference to what seems to be the large number of such acts. It has simply been a reaping where there have been many sowings. Although the conference and this committee mark the 25th year of attendance on this work, there have been only eleven laws approved and recommended to the states. With these four now presented, there are fifteen, representing the work of twenty-five years. I present what is perhaps the most important item in the report, and it will require no action by the Association. It is this: That the committee, and it speaks also for the Conference of Commissioners, invokes most urgently the co-operation of every lawyer in this country and of every judge who sits upon the Bench of any court in this country, in the effort to

make uniform the laws on subjects which obviously should be uniform. The committee has been at work bringing these matters to the attention of the courts of record throughout the country with gratifying results.

Now I offer the resolution, that the Uniform Partnership Act, the result of twelve years' work of the Conference, be approved by this body and recommended to the states for adoption. This bill has been printed and has been before the Association. Since it was printed Section 35 has undergone a slight verbal change to bring it into accord with the principles enunciated by the Conference of Commissioners in approving the bill; there is no change of principle in the modification.

On vote taken, the resolution was adopted.

Rome G. Brown, of Minnesota:

I voted no, and wish my vote recorded in the negative.

The President:

The gentleman from Minnesota is recorded as voting no.

Charles Thaddeus Terry:

The committee offers the resolution that the Uniform Workmen's Compensation Act, approved by the Conference of Commissioners and also by the committee now reporting, be approved by the Association and recommended to the states for adoption.

On vote taken the resolution was adopted.

Charles Thaddeus Terry:

I move that the Association do approve the Uniform Cold Storage Act and do recommend it for adoption to the states.

Nathaniel W. Ladd, of Massachusetts:

I think some general information should be given to the Association as to these matters. We should have a statement of the contents of the acts that we are asked to approve.

Charles Thaddeus Terry:

No specific statement could be made, further than I have attempted, short of reading the acts, section by section. They

have been printed and are annexed to the report, and notice has been given that the resolution now proposed would be offered here.

On vote taken, the motion was adopted.

Charles Thaddeus Terry:

A further motion is that the Association do approve the report of the committee in respect of the Uniform Act relating to Acknowledgments of Deeds and other Instruments taken outside of the United States and recommend the act for approval by the states.

On vote taken, the motion was adopted.

(See Report in Appendix, page 437.)

The President:

The Committee on Publicity.

The Secretary.

There is no report.

The President:

The Committee on Membership.

The Secretary:

Lucien H. Alexander, of Pennsylvania, Chairman of the committee, has wired to the Secretary to this effect:

"Kindly present our preliminary report as follows:

"The Membership Committee has the honor to report that our membership has recently reached 10,000, having more than doubled in three years. More than 85 per cent of all federal judges are now members, and over 56 per cent of state appellate court judges. As the committee only closes the year's record when the annual volume goes to press, we will, as heretofore, present a fuller report at that time."

The President:

There is no action necessary to be taken and the report will be accepted. It is very gratifying to learn that the membership has increased so largely.

The Committee on Professional Ethics.

The Secretary:

The Chairman of the committee is not present. The report has been printed and distributed. There are no recommendations

made by the committee, and no action is required by the Association.

(See Report in Appendix, page 499.)

The President:

The Comparative Law Bureau.

Simeon E. Baldwin, of Connecticut:

The Annual Bulletin of the Comparative Law Bureau which has now been published for eight or ten years will hereafter be merged in The American Bar Association Journal. It is expected that it will occupy a considerable portion of the April number of that quarterly. Communications from the Bureau, may, however, be made to other numbers; the main contribution will be in the April number.

The translation of the Swiss code is nearly ready for the market, and inquiries are being received in regard to the publication of the other codes which have been promised and are now in course of preparation. Recently I had a communication from Egypt requesting a copy of the Argentine code which we had announced as in preparation. The translation is not yet finished.

No action by the Association is necessary.

(See Report in Appendix, page 613.)

The Secretary:

I ask leave to submit in behalf of the special committee of which Hon. Joseph H. Choate, of New York, is Chairman, a report of the committee concerning the fund raised by voluntary donations from individual members of the Association for the relief of European lawyers impoverished and rendered homeless by the war.

The Secretary then read the report referred to.

(See Report in Appendix, page 677.)

The President:

No action is necessary upon this report.

The Committee on Obituaries.

During the reading of the report the members of the Association will rise.

The report was then read by Assistant Secretary Kemp.

(See Report in Appendix, page 680.)

The President:

The Special Committee on Uniform Judicial Procedure.

Thomas W. Shelton, of Virginia:

Those who were present at Washington and heard President Taft's address, or have read it in print, and have read the report, are quite familiar with what this committee has done, and with its origin and also what the committee hopes to be able to do before the 64th Congress. In order to insure your aid in this connection, I should say that the bill known as House Bill 133, as offered by Chairman Webb, was unanimously adopted by the Judiciary Committee of the House. It was looked upon as quite remarkable that the Republicans, the Progressives, and the Democrats should have sunk all differences; it was probably the only matter that could have been brought before the House upon which they would agree. It was carried to the Senate and referred to a special sub-committee of the Judiciary Committee, composed of Senators O'Gorman and Root, of New York, and Senator Walsh, of Montana. There was reason to believe that the sub-committee would report to the general committee the same day. It never has reported. After adjournment of the 63d Congress it transpired, through a letter written by Senator Walsh to Major Roote, of Montana, that he did not agree with the idea that the courts ought to make the rules, and has prevented the sub-committee from reporting. We have in writing the committal of a majority of the members of the Senate and House. Unless there shall again arise in the next Congress that peculiar thing which is called "senatorial courtesy" which seems able to defeat a majority, the bill is going to pass. In almost every state the Bar associations have endorsed this measure, and three national commercial organizations are demanding it.

We have reported in writing what the Conference of Judges has done. This is the second meeting of the judges, aside from that at Montreal, which was more of a meeting to organize. I received here, as Chairman of the committee, any number of communications from organizations like the Credit Men's Association, numbering thousands of business men, expressing approval of the Conference of Judges and offering to put up any amount of money necessary to promote its work. All that is needed is the travelling

expenses of each Chief Justice or his alternate. It occurred to us, however, that the way in which the Commissioners on Uniform State Laws are financed was most appropriate; and so we have asked the States to contribute, say \$100 or \$200 each, and now earnestly appeal to every lawyer for help with his legislature. It is a small premium to pay for insurance against conflicting opinions.

The committee recommends that it be authorized to appear before the Senate Committee for the purpose of bringing out the necessary harmony between our bill and H. R. 18,000.

On vote taken the recommendation was approved.

(See Report in Appendix, page 502.)

The President:

The Committee to Suggest Remedies and Formulate Proposed Laws to Prevent Delay and Unnecessary Cost in Litigation.

Paul Howland, of Ohio:

In the absence of the Chairman, and at the request of the members of the committee present, I beg leave to submit the report of this committee.

The report was printed in the July number of the JOURNAL and it is, therefore, unnecessary for me to go into detail.

For several years past, your committee has come before the Association with a report expressing the hope that legislation might ultimately be enacted along certain lines, and in accordance with the positive instructions of the Association. On this occasion, however, your committee is able to report that certain legislation, which it has earnestly pressed upon Congress, has been enacted into law.

A bill, known as "The Equity Procedure Bill," which empowers the court to authorize the amendment and transfer of a case from the law side of the court to the equity side of the court, or vice versa, as the case may be, without suffering a non-suit, is now the law.

A bill providing for a review in the Supreme Court of the United States, regardless of whether the decision in the state court upheld the constitutionality of the state statute or not, is now the law.

Your committee, therefore, reports very substantial progress and moves the adoption of the following resolution:

"Resolved, That the special committee to suggest remedies and formulate proposed laws be continued with the powers heretofore conferred upon it, and that it be instructed to take such steps as it shall deem expedient to procure the passage of the bill of which a copy is annexed to this report and marked Schedule C, and also the bill in relation to the fees and mileage of United States Marshals referred to in the report, of which a copy marked Schedule E was annexed to the report presented in October, 1914."

On vote taken the resolution was adopted.

(See Report in Appendix, page 510.)

The President:

The Special Committee to Oppose the Judicial Recall.

Rome G. Brown, of Minnesota:

The report of the committee has been printed. It contains practically only one recommendation—that a committee for this sort of work be continued by the Association. The substance of the report is, that the committee believes that the cause of judicial recall in this country is on the wane and apparently dead, but that it needs watching.

Our work last year was strenuous—more so than some of you living in the East would suspect. The judicial recall was agitated in 15 or 16 out of 40 legislatures in session. Members of our committee stood as outposts in each state, keeping watch of the situation, with the result that in no legislature did the judicial recall, either in the form of the recall of judges or in the form of the recall of judicial decisions, make any progress. The proposed amendment passed by the Kansas Legislature in 1913 for submission at the general election in 1914, was unfortunately adopted. In the minutes of a legislature of 1913, a proposed amendment to the Constitution for recall of judges was passed, but upon submission to the people in 1914, was defeated by 40,000 votes. The work of this committee had something to do with that result.

There is not only a lack of progress in the cause, but there is evidence of decided reaction where the recall has been adopted. It is coming more and more into disfavor in Colorado, the only state that has adopted the recall of judicial decisions as well as

the recall of judges; it is getting in bad favor among the people in Nevada, and also among the people in California. The last issue of the Sunset Magazine shows that it is already discredited in California because it serves only as a means of intimidating judges. Our recommendation is that the committee be continued. We expect that our activities will be required much less in the future, and that the appropriation necessary will be considerably less in amount. Where we have had from \$1500 to \$2000 a year, we think that \$500 a year will be sufficient in the future.

On vote taken the report was approved and its recommendations adopted.

(See Report in Appendix, page 518.)

The President:

The Special Committee on Government Liens on Real Estate.

John T. Richards, of Illinois:

The committee makes only one recommendation. A bill was framed and reported by the committee at the last annual meeting of the Association and was then approved. The purpose of the bill was to afford a method by which the government could be made a party defendant in a proper case instituted for the removal of a government lien on an equity of redemption. The committee did not present the bill at the last session of Congress because it was a short session and Congress seemed overburdened with work. It was thought unwise to present a bill at that time in such circumstances.

The recommendation is that the committee be continued with directions to present the proposed act to the next session of Congress.

(See Report in Appendix, page 531.)

On vote taken the recommendation was adopted.

The President:

The Special Committee on Compensation to Federal Judiciary.

The Secretary:

There is no report.

The President:

The Special Committee on Legislative Drafting.

William Draper Lewis, of Pennsylvania :

This is the third annual report of the committee. The appointment of the committee was due to a feeling that we should not only point out the evils resulting from poorly drafted bills in Congress and in state legislatures, but that we should also make constructive suggestions for correction of these evils.

The first resolution appointing the committee in 1912 asked the committee to report whether there was not a possibility of the establishment of an agency, in connection with Congress and the state legislatures, to assist in the drafting of legislation. The committee made an affirmative report to the effect that the establishment of legislative drafting and reference bureaus on right lines would contribute to the improvement of the form of legislation. The American Bar Association, at the meeting at which that report was made, recommended the establishment of such agencies by Congress and by those states which had not already established them, and the improvement along certain lines suggested by some of the agencies already established. Since that resolution was adopted one of the duties of the committee has been to urge the establishment of legislative drafting and reference bureaus. A number of bureaus have been established in the last few years, and the action of the Association in each case has been a decided contributing factor. Your action has also tended to improve the organization of bureaus heretofore established.

The work of the legislative drafting and reference bureaus of the country has been set forth in the appendix to the present annual report printed on page 594 in a series of letters from the heads of each of the drafting bureaus. In the first annual report of the committee, we not only recommended the establishment of these bureaus where not already established, but we went one step further and recommended that the Association see if it were not practicable to assist, with the co-operation of other bodies interested, in the creation of a manual of legislative drafting to contain forms for often repeated clauses, and also a discussion under a topical index of questions which come before a draftsman and the principles on which a draftsman should proceed. The Association adopted a resolution directing the committee to prepare a manual of legislative drafting and submit

it for approval. All that we have been able to do this year, and all that we will perhaps be able to do for two or three years, is to submit for consideration by the Association portions of the manual—not for final action on your part, but simply in order that members interested may read and criticise the work of the committee, so that we may have the benefit of the suggestions for improvement.

One other matter was referred to the committee last year, namely, whether there was not, or could not be created, some agency to improve the form of bills submitted through the initiative. The labors of the committee on the manual have prevented them from making any report on that subject. They do, however, print—as Appendix E., of the report, page 605,—a report of William A. Schnader, who has made a special study of the operation of the initiative. The committee merely recommends the report to the Association for consideration.

The resolution which the committee asks you to adopt, which is largely a repetition of the resolution passed last year, is:

“Resolved, That the Special Committee on Legislative Drafting be continued and directed to continue to prepare for submission to this Association a legislative manual which will contain a collection of directions, or suggestions, for drafting laws, and model clauses for constantly recurring provisions and problems, and the committee is hereby authorized to co-operate for the purpose with other organizations and individuals; and the committee is further authorized to continue any research pertinent to the improvement of the form of our statutory law and report the results of its investigations to this Association.”

I move the adoption of the recommendation.

Ernest Morris, of Colorado:

I am going to vote in favor of the resolution, but I call attention to one statement in the report which needs to be challenged. It is contained in the report of William A. Schnader, of the Pennsylvania Bar, reading as follows:

“Attention is called to such bodies as the Peoples Power League of Oregon and the Direct Legislation League of Colorado, both of which have proposed a comparatively large number of measures in their respective states . . . rough drafts the proposed measures and circulates them for suggestion and criticism . . . the Colorado Direct Legislation League is even more careful in its method of preparing measures. Under its Constitution

no measure can be initiated by the league unless it has been brought before three meetings of the entire membership of the league and passed three readings."

The members of the Colorado Bar here present, who understand the local situation, feel, I think, convinced that this statement is largely overdrawn. This league consists of a body of so-called reformers—

The President:

Is there any motion before the house?

Ernest Morris:

I am speaking on the report of the committee, and I think this is a matter that ought to be corrected for the benefit of the Association.

The President:

You may proceed, although the Chair is in doubt about your being in order.

Ernest Morris:

I was about to say that the legislation heretofore proposed by the Colorado Direct Legislation League is of such style and character that a part of it is absolutely unintelligible and will not bear the test of clearness or lucidity.

William Draper Lewis:

May I correct what may be an erroneous impression given by the gentleman from Colorado? The excerpt which he read is not contained in the report of the committee. The committee expressly desire to have it known that they are not responsible for anything contained in the report of Mr. Schnader. He has devoted considerable study to the subject; and I may say parenthetically that his positive recommendations have given considerable offense to those who believe in the initiative in many of the states. Nevertheless the committee has nothing to do with the merits of the initiative; neither has it anything to do officially with whether Mr. Schnader's statements are correct or are not correct. There is, however, one thing which the committee has to do with, and that is that it does not print as an appendix to its report anything which did not come from an impartial examiner who had devoted considerable time to the subject. We were careful to ascertain that Mr. Schnader fulfilled this requisite.

On vote taken the resolution was adopted.

(*See Report in Appendix, page 532.*)

The President:

The Special Committee on Reorganization.

Walter George Smith, of Pennsylvania:

John H. Wigmore, of Illinois, is Chairman of the committee. He has not called a meeting of the committee, but he has corresponded with other members, and has prepared a report, and has explained to me the reason why it seemed desirable that the committee be continued with the power it now has.

Since the Association has grown somewhat rapidly from a comparatively small numerical representation of the different states to one now numbered by thousands, it is a difficult problem to solve how we shall draft a constitution that will make us a deliberative body, yet have so large a membership. With a fairly large number of members gathered at any meeting, it is impossible to give intelligent consideration to any new matter. For years, and very wisely as it seems to the members of the committee, the Association has pursued the practice of depending mainly upon the reports of committees, unless there is some very obvious question of policy that can be disposed of at once on the floor.

I mention this situation only in order that the Association may see how necessary and desirable it is that the special committee should proceed very carefully. I think we shall perhaps next year be able to report a plan for consideration.

William A. Ketcham, of Indiana:

The gentleman from Pennsylvania adds that they should go carefully in studying the situation.

Walter George Smith:

I hope the gentleman from Indiana does not think we are going to act rashly.

W. A. Ketcham:

Not at all; I am concurring in your request.

On vote taken, the committee was continued.

(*See Report in Appendix, page 615.*)

Thomas W. Shelton, of Virginia :

Since the making of the report of the Committee on Uniform Judicial Procedure we have had the good fortune to confer with United States Senator Sutherland who has been of great assistance and who has also had a large part in the creation of two of the bills. We have drawn a resolution which I ask leave to read, and the adoption of which I move.

The President:

The Chair hearing no objection, the gentleman from Virginia will read the resolution.

Thomas W. Shelton :

" Be It Resolved, That the Committee on Uniform Judicial Procedure be authorized to appear before the Federal Senate Committee which meets in October to consider H. R. 15,578 and to suggest such amendments and objections to said bill as will conform to the sentiments of the Association."

On vote taken, the resolution was adopted.

Walter George Smith :

I ask unanimous consent to make a supplemental statement.

The President:

There is no objection.

Walter George Smith :

I find that the report of the Committee on Reorganization, makes a recommendation that the Association revert to the old custom and practice of allowing four entire days to the annual meeting instead of three; and I move that the Executive Committee be requested to take into consideration the advisability of extending the sessions from three days to four days.

On vote taken, the motion was adopted.

The President:

The Special Committee on Noteworthy Changes in Statute Law.

Thomas I. Parkinson, of New York :

I submit the report of the committee. It makes no recommendations, but we believe it important that the committee be continued.

(See Report in Appendix, page 620.)

The President:

I am sure that the Association feels very much indebted to Mr. Parkinson and his committee for undertaking this most important work. I will take the liberty of thanking the committee for the work so far done.

Frederick W. Lehmann, of Missouri:

It seems to me that the recommendation proposed by the committee does not go quite far enough. I think the committee should be made a standing committee.

The President:

It is under the heading of a special committee now, but by the amendment to the Constitution has been created a standing committee. The Chair rules that it is now a standing committee of the Association.

Frederick W. Lehmann:

If it is not a standing committee, I suggest that the proper procedure be had to make it one.

Thomas I. Parkinson:

I may say that the committee deliberately refrained from making such a recommendation. The whole matter was left to the Executive Committee. You may remember that the Executive Committee yesterday suggested that this committee be made a standing committee.

Simeon E. Baldwin, of Connecticut:

If the Executive Committee has recommended such an amendment, should we not create this a standing committee now?

The President:

I assume that when the report of the Executive Committee comes before this body, that course will be pursued. The report of the Executive Committee is not now before us for action.

Chapin Brown, of the District of Columbia:

I did not understand that there has been a report from the Executive Committee as stated by Mr. Parkinson. I would inquire when that report was made? I did not hear it.

Thomas I. Parkinson:

I heard Mr. Whitelock read it to the Association yesterday as part of the report of the Executive Committee.

Chapin Brown:

Instead of having it a standing committee, it might be a committee like our General Council with members from each state and territory, so that they could aid in digesting the laws of their respective states. They would take more interest in the work than if they were simply called upon to volunteer information.

The President:

The Chair would suggest to the gentleman from the District of Columbia that he formulate a resolution to that effect, and hand it in to the Executive Committee.

Frederick W. Lehmann:

I suggest that the experience of the Presidents of the Association when it was their duty to compile a summary of legislation during the year and when they had the aid of a member from each state, was that it needed somebody specially designated to look after the matter. While it is the duty of members of the General Council to do so, still somebody has to keep the machinery moving. Now that is the purpose of a standing committee. I do not believe the committee should be too large. I think you would find that a committee composed of a member from each state would be no committee at all. You know the best committee in the world is composed of three persons, one of whom is sick, the second of whom does not care a continental about the work, and the third is the man who does all the work.

Chapin Brown:

Under the old system, I think the President called upon the Vice-Presidents from the various states for information as to the legislation enacted during the year.

The President:

The Executive Committee will take the matter into consideration.*

The Special Committee on Reports and Digests.

* For final action establishing the Committee on Noteworthy Changes in Statute Law as a Standing Committee, see Report of Executive Committee (p. 83), and vote of the Association amending the Constitution (pp. 12-13).

Thomas H. Reynolds, of Missouri:

This committee, although last on the list, is not the least in importance. I doubt if there is any matter of greater importance before the Association than the work entrusted to this committee. The committee was appointed late in the year, and we have not been able to hold a meeting to formulate a final report; but in correspondence we have obtained considerable valuable data. We have not been able to get all the data into shape, and if the committee be continued for another year we shall be able to make a full report. We have discovered that in the last twenty years the length of opinions has increased thirty per cent. Then when we go beyond the number and the length of opinions, we come to the digesting, and there we have a field that is perplexing. We will probably recommend to the Association that in statements of the facts, only the ultimate facts be stated and not the process of elimination of unnecessary matters by which the Court reaches an opinion. We believe the principles of law should then be stated and the conclusion announced. I think, without reading the report, that I will merely submit it and move the adoption of the suggestion that the committee be continued.

On vote taken the special committee was continued.

(*See Report in Appendix, page 618.*)

Stephen S. Gregory, of Illinois:

I have a resolution which is of such a character that it should be referred to the Executive Committee. I will simply submit it for reference to that committee, with the request that they report tomorrow morning.

The President:

The resolution submitted by the gentleman from Illinois will be referred to the Executive Committee for report at tomorrow morning's session.

The Executive Committee will meet immediately after adjournment of this session.

Adjourned to 8 o'clock P. M. the same day.

SECOND DAY.

EVENING SESSION.

Wednesday, August 18, 1915.

The President:

The Association will come to order.

The Secretary:

The Executive Committee will meet immediately after the adjournment of this session in the Presidential Suite, Hotel Utah.

The General Council will meet at 9 o'clock tomorrow morning in Barratt Hall.

The President:

We are to have the very great pleasure this evening of hearing from that member to whom we are most indebted for the foundation of the Association, and for the years of constant labor that he has bestowed upon it. I think there is no question that its great success is largely due to Simeon E. Baldwin, the scholar, the jurist and the patriot. It is a splendid thought that out of a busy life there has developed in American legal literature the scholar, the gentleman and the public servant who will now address you, Simeon E. Baldwin, of Connecticut.

Simeon E. Baldwin, of Connecticut, then delivered an address on "Changes in International Law."

(See the address in the Appendix, page 354.)

The President:

If there is no other business before the Association, a motion to adjourn will be in order.

(At this point there were cries of "Taft! Taft! Taft!" from the members.)

The President:

I take very great pleasure in introducing to you a great lawyer and a great judge, a member of this Association and its former President—William Howard Taft, of Connecticut.

The audience rose and greeted Mr. Taft by vigorous applause.

William Howard Taft, of Connecticut:

I came here tonight to be informed; and I have been. We are greatly indebted as we have been so often in the past, to Governor Baldwin for giving us things that we frequently don't get in speeches, and that is the facts, and giving us a means of judging for ourselves upon the great questions now presenting themselves to us as members of a great nation critically concerned in proposed changes in international law.

And I rise for the purpose of moving that the thanks of the Association be expressed to him for his admirable and informing address, undertaken under conditions that no one could possibly meet except a man who is a minute man always when the American Bar calls upon him, and who possesses so much knowledge that it does not take so much work for him to prepare it for presentation. I hope that this vote of thanks will be submitted to the Association.

Simeon E. Baldwin:

I rise to the point of order, that under the Constitution, no vote of thanks is permissible to a member of the Association for anything that he does.

William Howard Taft:

I withdraw the motion, and I concur in the adjournment which the Chair has declared.

The President:

The Chair has not declared an adjournment.

William Howard Taft:

Why, I understood that the Chair not only put a motion to adjourn, but declared it carried.

The President:

I was about to put the question when interrupted by a unanimous call. I recognized that call, and we had the very charming little speech from the gentleman from Connecticut whom we all love. Now apparently he is disposed to adjourn, and, as he generally has his own way—except upon certain occasions, and I trust no similar occasion will arise in the future—the Chair will put the question. All in favor of ad-

journing will say "aye"; opposed "no." The Association stands adjourned.

Adjourned to Thursday, August 19, at 10 A. M.

THIRD DAY.

MORNING SESSION.

Thursday, August 19, 1915.

The President:

The Association will come to order.

The first business is an address by Felix Frankfurter, of the Faculty of Law of Harvard University, on "The Law and the Law School."

It ought to be gratifying to the American Bar to observe the disposition on the part of the Association to encourage high scholarship among the members of the Bar. It may be remembered that only 17 years after the landing of the Pilgrims at Plymouth Rock, Harvard University was established. The influence of New England education has permeated the entire country. Though I come from a section in the far south whose politics have always been opposed to those of New England, I cannot even upon this occasion refrain from bowing to the culture and scholarship of Harvard; and as typical of that scholarship and as a recognition on the part of the Association of its ideals for larger and broader culture, permit me to introduce to you Professor Frankfurter.

Felix Frankfurter, of Massachusetts, then delivered his address.

(See the Appendix, page 365.)

The President:

Are there any unfinished reports of committees?

The Secretary:

I will report, with the unanimous favorable recommendation of the Executive Committee, the resolution submitted yesterday by Stephen S. Gregory, of Illinois, and referred by the Chair to that committee.

The President:

Give attention to the reading of the resolution.

The Secretary then read the resolution as follows:

"The members of the American Bar Association assembled in annual meeting, have been profoundly shocked by the report in the newspapers of the willful and deliberate murder by mob violence of a convict under life sentence in a state penitentiary.

This crime appears to have been concerted and accomplished in a spirit of savage and remorseless cruelty unworthy of our age and time. Thus to seize and slay a helpless prisoner, expiating according to law, the crime of which he was convicted, and while he was in the custody of public officials charged with his detention, is not only to commit an act of wanton savagery, but to make a flagrant and shameful attack upon the law and its ministers, tending to weaken all just respect for its administration and well calculated to promote lawlessness and anarchy.

Therefore it is resolved, that we desire here to record our unreserved condemnation of this outrage, and we trust that those in authority will speedily bring the guilty parties to the bar of public justice, there to receive such punishment as their grave crime demands."

James H. Harkless, of Missouri:

I move the adoption of the resolution.

The resolution was then unanimously adopted.

The President:

Is there any matter under the head of Miscellaneous Business?

Frederick E. Wadhams, of New York:

I call the attention to the Association to the present quarters of the Supreme Court of the United States at Washington, with the view of having a committee appointed for the purpose of securing by legislative enactment better quarters in the capitol building for the court and for the accommodation of those appearing before it. There was a committee appointed several years ago by Congress, known as a committee for the extension and completion of the capitol building, composed of Senator Wetmore, of Rhode Island; Senator Root, of New York; Senator Martin, of Virginia, and Representatives Cannon, of Illinois, and Hepburn of Iowa. I understand that it is the desire of those principally interested concerning the quarters occupied by

the court that the court should remain in the capitol building, and it does not seem to be their desire that a separate building be erected.

I think it proper for me to say that this matter was brought to my attention first by J. C. Thompson, of Oshkosh, Wisconsin. I offer the following resolution and move its adoption :

" Resolved, That a special committee of five members of the Association be appointed by the President to confer with the Chief Justice of the United States and the Associate Justices of the Supreme Court of the United States and with the commission for the extension and completion of the capitol building regarding measures to improve the present accommodations in the capitol building of the court at Washington, and with authority to the special committee to take such steps as the committee after such conference may deem proper and expedient to bring about, by legislative enactment or otherwise, the enlargement and improvement of such quarters and accommodations."

The President:

You have heard the resolution offered by the gentleman from New York.

The resolution was seconded.

William Howard Taft, of Connecticut:

I want to say that it seems to me unwise to limit the power of the committee to the method of improving the quarters of the Supreme Court by extension of the capitol building. I know the court as a whole are generally in favor of remaining in the capitol. It is quite possible that that will not be the view of Congress, and Congress has power, in this particular, to say what shall be done.

I do not intend now to intimate my view as to what ought to be done. There was for a long time a plan to construct a Supreme Court building on the square opposite the capitol, or immediately opposite on East Capitol Street. It seems to me that if we appoint a committee of this sort, the committee ought to have power to differ with the Supreme Court, if it sees fit to do it. It may be that the Supreme Court itself may take a different view. At any rate, unless we enter into a discussion of the subject, it seems to me unwise in an important committee like this to limit their judgment. Therefore, I move an amendment

providing that nothing herein shall limit the judgment of the committee as to the wisdom of recommending the construction of a separate building for the accommodation of the members of the Supreme Court and those who practice before it.

The members of the Supreme Court naturally like to be in the capitol; and senators and congressmen like to be where they can go in and hear the judgments of the Supreme Court conveniently, and occasionally submit to the Supreme Court arguments that will assist them in the discharge of their important duties. Nevertheless, there are other considerations that would lead to the establishment of a separate building, requiring possibly the separation of the two different branches of the government, and certainly giving an opportunity for much greater convenience to the Bar, the public, and the members of the court, in the furnishing to them of quarters in which they can adequately perform those heavy duties that need a great deal of executive assistance.

I, therefore, move an amendment widening the scope and power of the committee.

The President:

Does the amendment offered by the gentleman from Connecticut meet with a second?

The amendment was seconded.

Thomas I. Parkinson, of New York:

I should like to raise the point of order that this resolution should take the usual course and be referred to the Executive Committee.

The President:

The Chair is constrained to overrule the point of order on the ground that this body has the power to determine whether a resolution shall be referred to a committee or not. The reference of resolutions to committees is principally a matter of convenience.

William Howard Taft:

I never differ with the court when it rules in my favor. So far as the Executive Committee is concerned, I do not think the resolution of a character requiring such reference.

Thomas I. Parkinson :

In order to get the sense of the meeting, I move a reference of the resolution to the Executive Committee.

George Sutherland, of Utah :

I do not rise to oppose the suggestion made by Mr. Taft, but simply to state that in my opinion the present quarters of the Supreme Court, as far as the court room itself is concerned, are entirely adequate. True, it is a small room, but we do not need a large forum for a body of that kind. I think I know the feeling of the members of the Supreme Court with reference to this matter. They are very much opposed to any change of quarters. The court has been held in its present quarters for a great many years; the room has historical associations connected with it, and the judges have become attached to it. The Supreme Court of the United States is a co-ordinate branch of the government. I undertake to express some doubts as to the power of Congress to compel the Supreme Court to vacate the room; and I am rather inclined to think that if that body should pass a provision for building a new structure and putting the court there, if the members of the court did not choose to go, Congress might find some difficulty in compelling them to go. I think after we had constructed a new building and arranged a court room, the judges would remain exactly where they are now. We undertook after the building of the Senate office building and the House office building to provide additional quarters for the judges, and we set aside a number of rooms for their use. Senators vacated some of them; Representatives vacated some rooms in the Capitol, and took other quarters in the new office buildings. We furnished a room, and in some instances a suite of rooms, for each member of the Supreme Court. I think only two of those rooms or suites are occupied today. The result has been that, one by one, these rooms have fallen back into the possession of senators and members of the House, because the judges could not be induced to occupy them.

I have no objection to passing a resolution to have the matter investigated; but I undertake to predict that in the end nothing will come of it.

The President:

Is there further discussion of this subject?

William Howard Taft:

May I have unanimous consent to speak again?

The President:

Will the gentleman from New York withdraw his amendment to allow the gentleman from Connecticut to speak?

Thomas I. Parkinson:

With pleasure.

William Howard Taft:

I think it is very remarkable to hear a senator of the United States get up and say that Congress has not the power to declare where the Supreme Court shall sit, and I think somebody should rise in the interest of the people and tell the senator that Congress does have that power, and that if it is a legislative function to say where the Supreme Court sits it is a legislative function to appropriate the money and to make the building thereafter. If I have misconceived the senator—

George Sutherland:

I should like to ask a question of the gentleman from Connecticut. Undoubtedly Congress has power to provide a building and say that the Supreme Court shall sit there, but suppose the court declines to do so, what process would the distinguished gentleman from Connecticut invoke?

William Howard Taft:

I should say that one thing that might be done would be to go before the lower House of Congress and ask that impeachment proceedings be instituted in the Senate to inquire whether the Supreme Court whose duty it is to interpret the law, must not obey it.

It is quite true that the Supreme Court may not like for their private use chambers that require a railway in order to be reached from the court room, as is necessary by the underground communication between the Capitol and the Senate office building. Therefore, it seems to me that the illustration that the judges do

not wish to avail themselves of rooms practically as far from the court room as their own homes is no reason for supposing that if the court room is brought near their working offices they will not avail themselves of the accommodation. I yield to no one in my admiration for the Supreme Court and in my deference to its proper authority, but it does seem to me that it is not the comfort of the court alone that is concerned in the provision for the court house where justice shall be administered. If the rooms are becoming inadequate and crowded, the mere convenience of having two branches of the government together ought not to prevail over a greater convenience which will follow if you have the court in a building by itself. I would not insist upon having a court room as large as the Tabernacle here, because that is not the way the Supreme Court maintains its dignity, but there are a great many persons whose convenience ought to be consulted in this matter. If the Supreme Court is going to discharge the function that it ought to, because it ought to be lodged with power to secure the despatch of all federal business, I think the judges ought to have offices where they may have executive assistants who can help along in the despatch of that business.

I only ask that the committee should consider that view of the matter and shall not foreclose the commission from taking that view.

The President:

The question before the Association is on the amendment offered by the gentleman from New York, to refer the resolution to the Executive Committee.

Frederick E. Wadhams:

It seems that even the members of the Senate and of the House disagree on many things. I am going to read a letter from Senator Root on this subject.

The President:

Have you any objection to the reference of the resolution to the Executive Committee?

Frederick E. Wadhams:

No, sir. It may be referred to the Executive Committee after I have read this letter, dated August 3, 1915, from Senator Root.

Mr. Wadhams then read the following letter addressed to him from Elihu Root, of New York :

August 3, 1915.

Frederick E. Wadhams, Esq., 37 Tweddle Bldg., Albany, N. Y.

Dear Mr. Wadhams: I have your letter of July 26th enclosing a draft of a resolution to be proposed to the American Bar Association. I hope some such resolution will be adopted. There has been a good deal of talk in Congress for many years about a new building in Washington for the judicial branch of the government. I have always felt, however, that it would be a great pity to have the Supreme Court move out of the Capitol to a new building and give up the present court room, which perfectly answers the purpose and which has such a wealth of associations worth preserving. It would be a sad thing to have the chamber, in which Webster, Clay, Calhoun, and Benton were accustomed to speak and in which the great debate of Hayne and Webster was heard, cut up into committee rooms and to have the court, whose duty it is to maintain the structure which those men were building, banished to some new and expensive place. What the court really needs is not another court room, but better accommodations for study and consultation. I had hoped that the desire to give these better accommodations to the court would become effective through some alterations of the capitol building, which are very much needed from an architectural point of view. The architects say that the dome of the capitol is too near the eastern wall of the central building and that that wall ought to be pushed out some little distance to the east. I think that ought to be done and in doing it adequate consultation and study rooms for the Supreme Court ought to be provided for. There is a standing commission established by law for the purpose of executing necessary changes in the capitol building and Carrere and Hastings, the architects who built the Senate and House office buildings, have made several studies for the change in the capitol which I have mentioned. I happen to be a member of the commission, which, however, has never been called upon to meet since I was appointed.

With kind regards, I am,

Faithfully yours,

ELIHU ROOT.

Frederick E. Wadhams:

I am perfectly willing that the committee shall not be limited, but that it shall have full power and discretion as suggested by Mr. Taft.

The President:

The question is on the adoption of the resolution to refer the resolution to the Executive Committee with power to act. All in favor of that will say aye; all opposed, no. The ayes have it, and the resolution is referred to the Executive Committee.

The Secretary:

I am requested to announce that visiting ladies will be tendered a complimentary dinner on the roof garden of the Hotel Utah at 7 o'clock tonight. Ladies are requested to be promptly at the roof garden by 6.45 P. M.

The President:

The Committee on Nominations.

George T. Page, of Illinois:

On behalf of the General Council I report the nomination of officers of the Association for the ensuing year, as follows:

For President: Elihu Root, of New York.

For Secretary: George Whitelock, of Maryland.

For Treasurer: Frederick E. Wadhams, of New York.

For members of the Executive Committee:

William C. Niblack, of Illinois.

Selden P. Spencer, of Missouri.

William P. Bynum, of North Carolina.

Chapin Brown, of District of Columbia.

Charles N. Potter, of Wyoming.

John Lowell, of Massachusetts.

Charles B. Smith, of Kansas.

The President:

What is the pleasure of the Association with reference to this report of the Nominating Committee?

Walter George Smith, of Pennsylvania:

I move that the report be accepted, and that the gentlemen nominated for the respective offices be declared elected by the Association.

Charles Thaddeus Terry, of New York:

I second the motion.

The motion was then unanimously adopted and the gentlemen named for the respective offices were elected officers of the Association for the ensuing year.

The Secretary:

I announce that the concluding session of the Section of Legal Education will be held in the Ball Room of the Newhouse Hotel, at 2.30 o'clock this afternoon. The report of the Committee on Standard Rules for Admission to the Bar will be considered. There will be a meeting of the Executive Committee at 3 o'clock this afternoon in the Presidential Suite, Hotel Utah. The Chairmen of the various committees of the Association who wish to present applications for appropriations will be given a hearing.

Jacob Trieber, of Arkansas:

I offer a resolution and ask that it be read by the Secretary, and referred to the Executive Committee.

The President:

The Secretary will read the resolution.

The Secretary:

"Resolved, That it is the sense of this Association that women possessing the qualifications for membership prescribed by the Constitution of the Association are eligible to membership therein."

W. A. Ketcham, of Indiana:

I move that the resolution be referred to the Committee on Reorganization for report at the next meeting of the Association.

On vote taken the motion was carried.

Hampton L. Carson, of Pennsylvania:

On behalf of the Committee on Resolutions, I present for adoption the following resolution:

Resolved, That the American Bar Association, on the occasion of its Thirty-eighth Annual Meeting, held at Salt Lake City, Utah, August 17, 18 and 19, 1915, having been the recipient of

the warmest and most generous public and private welcome, does hereby express its most appreciative acknowledgment—

To the state and municipal officers for their interest and co-operation in the purposes of our visit, as expressed by the Governor, the United States Senator, and the Mayor;

To the Utah State Bar Association for its cordial greeting to its fellow members of the profession;

To the authorities of the Mormon Church for the use and enjoyment of its grounds and buildings, and particularly for the concert and organ recital;

To the public press for the unusual intelligence, accuracy and fullness with which daily proceedings have been reported;

To the citizens for their gracious and overflowing hospitality.

William P. Bynum, of North Carolina:

I move that the Association do now adjourn.

The motion was seconded.

The President:

In parting with the Association as its presiding officer, may I be permitted to extend to the officers of the Association, and to its membership generally, my heartfelt and sincere thanks for the support I have received.

Wishing for my successor all the success which must come to him and to the Association, and expressing the hope that when you go to your several homes you will recall with pleasure this meeting at Salt Lake City, I now put the question on the motion to adjourn. All in favor of adjourning will signify it by saying "aye"; all opposed, "no." The ayes have it and I declare the Thirty-eighth Annual Meeting of the Association adjourned.

Adjourned *sine die*.

SECRETARY'S REPORT

SALT LAKE CITY, UTAH, August 17, 1915.

To the American Bar Association:

The report of the proceedings of the last annual meeting held at Washington, D. C., October 20-22, 1914, has been printed and distributed to all members of the Association, to all State Bar Associations and to a large number of legal journals and libraries in the United States and abroad.

There were 9855 active members of the Association at the time of the publication of the 1914 report. The Membership Committee has proposed 271 new members during the year; all of whom have been elected by the Executive Committee.

At the Washington meeting honorary membership was conferred on Hon. Rómulo S. Naón of Argentina, and during the year the Executive Committee elected to honorary membership the Rt. Hon. Viscount Alverstone, formerly Lord Chief Justice of England. The Secretary reports the death during the year of Sir François Langelier of Montreal, Canada. The number of persons now on the honorary list is seventeen.

The membership of the Association includes representatives of all the states, of the District of Columbia, and of the Insular Possessions of Hawaii, Porto Rico and the Philippine Islands.

Invitations were sent several months in advance of the meeting to all State Bar Associations to appoint three delegates to attend the present meeting. The Wyoming State Bar Association has organized during the year. There are now in existence 48 State Bar Associations, and also the Bar Association of the District of Columbia, and the Bar Association of the Hawaiian Islands.

The Secretary has continued to supply, upon request, copies of the Code of Professional Ethics adopted by the Association; about 2200 copies having been distributed during the year.

Notices were duly sent by the Secretary to all standing and special committees, requesting their attention to such matters as were particularly referred to them.

Certain reports for the year 1914-1915 of the committees were printed in the July number of The American Bar Association Journal which was mailed to the members more than 15 days in advance of the meeting. The reports are as follows:

Standing Committees: Jurisprudence and Law Reform, Commercial Law, International Law, Insurance Law, Uniform State Laws, Publications, Comparative Law Bureau.

Special Committees: Government Liens on Real Estate, To Suggest Remedies and Formulate Proposed Laws, To Present Bills to Congress, To Oppose Judicial Recall, Uniform Judicial Procedure, Legislative Drafting, Reorganization, and Lawyers Relief Fund.

The preliminary announcements and all details of the program of the meeting were printed and copies sent to the press associations for release on appropriate dates.

The Secretary's office has taken charge of all the detail work in connection with the printing of The American Bar Association Journal, of which three numbers have now been issued. The Secretary has also taken up with the post office authorities the question of postal rates and has procured for all copies of the JOURNAL mailed to members of the Association a rate of one cent a pound; on all copies going to members of the Comparative Law Bureau the rate of one cent for each four ounces. The subscription rates to members of the Comparative Law Bureau have now been revised, and an application is pending with the postal authorities for a flat rate of one cent a pound on the entire JOURNAL output.

The Secretary sent out a letter to 225 of the leading law libraries in the United States, including those state libraries not already members of the Comparative Law Bureau, calling attention to the JOURNAL and inviting subscription thereto, and sending sample copies. This resulted in the receipt of 22 subscriptions at the regular subscription price of \$3.00.

The Secretary likewise sent out to the Secretary of each State and Local Bar Association in the United States, 625 in number, a sample copy of the April JOURNAL, accompanied by a letter calling attention to the new publication, and requesting from them items of general interest to the profession for insertion in the JOURNAL.

The Secretary's office will continue the system of registration by cards used last year. These cards may be obtained at headquarters, Hotel Utah. Cards should be signed plainly. All blanks should be filled and cards returned promptly to the Secretary's office.

Members and delegates are particularly requested to register at headquarters as soon as convenient after arrival, in order that the printed list of those present may be complete. A list of members and delegates will be printed for distribution at the meeting, and will also be included in the report of the proceedings.

A separate register will be kept in the Secretary's office at the Hotel Utah, in which all the members of the Judicial Section are requested to register their names and addresses immediately upon arrival.

Copies of the Constitution and By-Laws, lists of officers and committees, copies of committee reports, programs and other literature of the Association can be had at the headquarters of the Association at the Hotel Utah.

Information concerning the status of applicants, application blanks, and all information concerning membership may be had of the Membership Committee in the Secretary's office, Hotel Utah.

The Secretary endeavors to keep the street address of each member, and notification of any change in address is requested.

Respectfully submitted,

GEORGE WHITELOCK, *Secretary.*

TREASURER'S REPORT

1914-1915.

Dr.

To cash on hand at date of last report.....				\$4,138.88
To cash received subscriptions by members to annual dinner at Washington, D. C., 1914..				4,113.00
To cash refunded on dinner expenses.....				187.50
To cash received from sale, by the Secretary, of copies of annual reports of the Association, during the year 1914-1915.....				198.51
To cash received from sale by the Secretary of copies of membership lists.....				17.00
To cash received refunds on express shipments.				2.00
To cash received from Henry D. Estabrook, New York, for printing charged to him....				8.50
To cash received subscriptions to American Bar Association Journal and copies of Journal sold				59.40
To cash received for advertisements appearing in American Bar Association Journal.....				210.00
To cash received dues of members \$5.00 each:				
For 1910..... 1.....		\$5.00		
1911..... 1.....		5.00		
1913..... 74.....		370.00		
1914..... 393.....		1,965.00		
1915..... 1,258.....		6,290.00		
1916..... 5.....		25.00		
	1,732.....	\$8,660.00.....	\$8,660.00	
To cash received dues of members \$6.00 each:				
For 1915..... 5,959.....		\$35,754.00		
1916..... 91.....		546.00		
	6,050.....	\$36,300.00.....	36,300.00	44,960.00
Total receipts				\$53,894.79

Credit by Disbursements as follows:

1914.				
Sept. 3. By cash paid Central Law Journal Co., St. Louis, Mo., for copies of Journal for use Committee on Uniform Judicial Procedure....			\$1.75	
Carried forward			\$1.75	\$53,894.79

TREASURER'S REPORT.

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1914.	Brought forward	\$1.75	\$53,894.79
Sept. 17.	By cash paid W. T. Barron & Co., Norfolk, Va., binding and lettering books for Committee on Uniform Judicial Procedure	4.90	
19.	By cash paid Addressograph Co., Chicago, Ill., for plates, frames, cards and ink for addressograph and graphotype machines	21.68	
21.	By cash paid American Legal News, Detroit, Mich., for 3000 reprints address of Thos. W. Shelton, use of Committee on Uniform Judicial Procedure	31.80	
21.	By cash paid Francis Rawle, Philadelphia, Pa., to refund his disbursements for dinner committee at annual dinner at Washington, D. C.	7.00	
22.	By cash paid Frederick E. Wadhams, Albany, N. Y., to refund his disbursements on behalf of dinner committee in going to Washington, D. C., Sept. 18-19 making preliminary arrangements for annual dinner.....	41.29	
23.	By cash paid John H. Wigmore, Chicago, Ill., to refund his disbursements on behalf of Committee on Re-Organization	25.00	
23.	By cash paid F. B. Toothaker, Columbus, O., for printing 300 copies of report of Committee on Insurance Law	50.00	
29.	By cash paid Orrin N. Carter, Chicago, Ill., to refund his disbursements for the Judicial Section	83.68	
	Carried forward	\$267.10	\$53,894.79

1914.	Brought forward	\$267.10	\$53,894.79
Oct. 1.	By cash paid Thomas W. Shelton, Norfolk, Va., to refund his disbursements for postage for Committee on Uniform Judicial Procedure	91.30	
15.	By cash paid Ambrose Fowler, New York, for negatives and photographs of officers of Association, guests, etc.	56.00	
21.	By cash paid Rome G. Brown, Minneapolis, Minn., to refund his disbursements for the Committee on Judicial Recall	248.61	
28.	By cash paid W. F. Roberts Co., Washington, D. C., printing menus, tickets, order books, etc., for use at annual dinner.....	345.00	
28.	By cash paid J. Nota McGill, Washington, D. C., to refund his disbursements in securing hotel reservations for members in attendance at Washington meeting, postage, telegrams, clerk hire, etc.	99.19	
28.	By cash paid Norman T. A. Munder, Baltimore, Md., printing tickets, engraved invitations and envelopes, etc	172.55	
28.	By cash paid H. E. Mitchell, superintendent Pan-American Union Building, Washington, D. C., for rental, lighting, services of employees, etc., on occasion of reception by Association; also use of certain committee rooms.....	181.00	
28.	By cash paid Frederick A. Schutz, Washington, D. C., for photograph of group of members.....	6.00	
	Carried forward	\$1,466.75	\$53,894.79

TREASURER'S REPORT.

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1914.	Brought forward	\$1,466.75	\$53,894.79
Oct. 28.	By cash paid Charles A. Boston, New York, to refund his disbursements for placards for Section of Legal Education	7.50	
29.	By cash paid W. W. Mischler, New Haven, Conn., secretary to Hon. William H. Taft, to refund his disbursements in attending annual meeting at Washington, D. C., Oct. 17-23.....	45.85	
30.	By cash paid The Law Reporter Printing Co., Washington, D. C., for printing registration lists of members in attendance at meeting	278.80	
30.	By cash paid F. P. Ward, Brooklyn, N. Y., for services and disbursements as press representative at annual meeting	178.24	
30.	By cash paid J. B. Lyon Co., Albany, N. Y., for binding dues book 1914	3.78	
30.	By cash paid Henry B. F. Macfarland, Washington, D. C.; to refund his disbursements for taxicab hire for use of representatives from Canadian Bar in attendance at meeting	6.60	
Nov. 2.	By cash paid James H. Hayden, Washington, D. C., to refund his disbursements in connection with arrangements for annual meeting at Washington.....	14.40	
2.	By cash paid Charles A. Boston, New York, to refund his disbursements for postage, telegrams, etc., for Section of Legal Education	5.29	
	Carried forward	\$2,007.21	\$53,894.79

1914.	Brought forward	\$2,007.21	\$53,894.79
Nov. 2.	By cash paid Meyer Davis, Washington, D. C., for music furnished at annual dinner	70.00	
4.	By cash paid Frederick A. Schutz, Washington, D. C., photographer, for seven photographs.....	3.50	
5.	By cash paid The Lord Baltimore Press, Baltimore, Md., for postage in sending to members programs of meeting, committee reports, etc.	663.67	
5.	By cash paid Lord Baltimore Press for 9300 postal cards.....	93.00	
5.	By cash paid Rome G. Brown, Minneapolis, Minn., for printing bill Committee on Judicial Recall...	275.00	
5.	By cash paid Addressograph Co., Chicago, Ill., for one cabinet and drawers for addressograph plates	10.50	
9.	By cash paid Willard Hotel Company, Washington, D. C., for annual dinner	5,943.75	
9.	By cash paid Willard Hotel Company, Washington, D. C., hotel expenses of guests of Association	175.00	
9.	By cash paid Frederick E. Wadhams, Albany, N. Y., to refund his disbursements in connection with the annual meeting	42.80	
11.	By cash paid Frederick A. Schutz, Washington, D. C., photographer, for four photographs.....	2.00	
11.	By cash paid J. H. Small & Sons, florists, Washington, D. C., for floral basket	25.00	
	Carried forward	\$9,311.43	\$53,894.79

TREASURER'S REPORT.

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1914.	Brought forward	\$9,311.43	\$53,894.79
Nov. 11.	By cash paid Abram DeBlaey, Albany, N. Y., stationer, for loose leaf record book and pages.....	3.20	
11.	By cash paid Quayle & Sons, Albany, N. Y., engravers, for invitations and envelopes, annual dinner...	26.50	
11.	By cash paid Rexford L. Holmes, Washington, D. C., stenographer, for typewriting for Committee on Publicity	68.84	
13.	By cash paid Charles A. Morrison, New York, stenographer, report- ing proceedings at annual meet- ing and dinner, section meetings, etc.	618.85	
13.	By cash paid Frederick E. Wadhams, Albany, N. Y., to refund his dis- bursements for rent, lighting and sundries of the Memorial Con- tinental Hall, Oct. 20-22 sessions of annual meeting.....	172.30	
21.	By cash paid Charles M. Hepburn, Bloomington, Ill., to refund his disbursements for the Section of Legal Education from July 28 to Oct. 17, 1914.....	71.25	
Dec. 5.	By cash paid Rome G. Brown, Minne- apolis, Minn., to refund his dis- bursements for Committee to Op- pose Judicial Recall.....	229.65	
9.	By cash paid Gaylord Lee Clark, Nellie A. Davidson, Marie M. McCourt, Harry E. Pohlmann, of Baltimore, Md., Joseph Caplan, Edward Kaestner and Louise M. O'Hagen, of Albany, N. Y., for services in connection with the annual meeting as per resolution of Executive Committee, \$100.00 each	700.00	
	Carried forward	\$11,202.02	\$53,894.79

1914.	Brought forward	\$11,202.02	\$53,894.79
Dec. 9.	By cash paid Philip B. Briscoe, Baltimore, Md., for services in connection with annual meeting as per resolution of Executive Committee	50.00	
9.	By cash paid Evans & Co., St. Paul, Minn., for printing and distributing 10,000 copies address for Committee on Uniform Judicial Procedure	175.00	
9.	By cash paid W. O. Hart, New Orleans, La., to refund his disbursements in attending meeting of Committee on Taxation at Washington, D. C., in April, 1914.....	68.00	
11.	By cash paid Charles A. Boston, New York, to refund his disbursements for the Committee on Publicity	24.72	
11.	By cash paid Mrs. B. M. Snover, Philadelphia, Pa., for services and disbursements for and on behalf of the Membership Committee.....	250.00	
19.	By cash paid Addressograph Company, Chicago, Ill., for one cabinet and drawers for addressograph plates	11.00	
22.	By cash paid W. T. Barron & Co., Norfolk, Va., for stationery for Committee on Uniform Judicial Procedure	13.60	
22.	By cash paid Library Bureau, Albany, N. Y., for filing cards \$2.41 and for 11,000 ledger cards for Treasurer's records \$23.47.....	25.88	
	Carried forward	\$11,820.22	\$53,894.79

1914.	Brought forward	\$11,820.22	\$53,894.79
Dec. 24.	By cash paid Charles A. Boston, New York, to refund his disbursements in connection with the work of the Membership Committee	13.44	
24.	By cash paid Miss R. Ellis, New York, stenographer, for services rendered Membership Committee	61.00	
24.	By cash paid Selden P. Spencer, St. Louis, Mo., to refund his disbursements in connection with special campaign in Missouri of Membership Committee	71.50	
1915.			
Jan. 19.	By cash paid Selden P. Spencer, St. Louis, Mo., to refund his disbursements in attending meeting of Executive Committee in New York, January 9, 1915.....	105.00	
19.	By cash paid P. W. Meldrim, Savannah, Ga., to refund his disbursements in attending meeting of Executive Committee in New York, January 9, 1915, and expenses at Washington, D. C., in conferring with representatives of South American republics...	92.47	
19.	By cash paid Metropolitan Club, Washington, D. C., for dinner to ambassadors and ministers of South American republics on January 7	129.78	
19.	By cash paid Union League Club, New York, for luncheon served members of the Executive Committee and its guests.....	38.90	
	Carried forward	\$12,332.31	\$53,894.79

1915.	Brought forward	\$12,382.31	\$53,894.79
Jan. 28.	By cash paid Addressograph Company, Chicago, Ill., for plates, frames, cards and ink for addressograph and graphotype ..	12.93	
28.	By cash paid Rodgers, Ruso & Kelly, Albany, N. Y., for wrapping paper, twine, etc.....	2.75	
28.	By cash paid Lord Baltimore Press for miscellaneous printing, postage and expressage.....	13.40	
Feb. 11.	By cash paid Frederick A. Fenning, Washington, D. C., to refund his disbursements as delegate to meeting of Ontario Bar Association at Toronto, Canada, January 4	40.75	
17.	By cash paid Frank L. Stevens, New York, stenographer, reporting part of proceedings of Executive Committee	14.40	
Mch. 20.	By cash paid post office at Baltimore, Md., for postage in sending out No. 1 of American Bar Association Journal	49.83	
31.	By cash paid Peter W. Meldrim, Savannah, Ga., to refund his disbursements in attending meeting of Executive Committee in New York, February 12, 1915.....	79.25	
31.	By cash paid Lord Baltimore Press for printing program, post cards, etc., postage, expressage, binding, etc.	325.29	
31.	By cash paid Lord Baltimore Press for postage and expressage in sending to members annual report for 1914.....	1,541.79	
	Carried forward	\$14,412.70	\$53,894.79

1915.	Brought forward	\$14,412.70	\$53,894.79
Mch. 31.	By cash paid Selden P. Spencer, St. Louis, Mo., to refund his disbursements in attending meeting of Executive Committee in New York, February 12-13.....	120.00	
31.	By cash paid John H. Voorhees, Sioux Falls, S. D., to refund his disbursements in attending meetings in New York of Executive Committee; January 9, \$135.75; February 12-13, \$159.00.....	294.75	
31.	By cash paid Campbell Art Co., Elizabeth, N. J., for furnishing portraits for use in annual report of President Taft, members of Supreme Court, etc.....	433.50	
Apl. 3.	By cash paid Norfolk Letter Writing Co., Norfolk, Va., services for Committee on Uniform Judicial Procedure	6.00	
3.	By cash paid Rome G. Brown, Minneapolis, Minn., to refund his disbursements for Committee to Oppose Judicial Recall from December 1, 1914, to February 3, 1915..	391.74	
3.	By cash paid Howe Addressing Co., Philadelphia, Pa., for addressing part of labels (Comparative Law Bureau List) for sending out American Bar Association Journal	2.11	
3.	By cash paid Lucas Brothers, Inc., Baltimore, Md., stationery furnished the Judicial Section.....	12.50	
3.	By cash paid William Draper Lewis, Philadelphia, Pa., to refund his disbursements in attending meeting of Committee on Legislative Drafting in New York, February 6	10.99	
	Carried forward	\$15,684.29	\$53,894.79

1915.	Brought forward	\$15,684.29	\$53,894.79
Apl. 3.	By cash paid Ernst Freund, Chicago, Ill., to refund his disbursements in attending meeting of Committee on Legislative Drafting in New York, February 6.....	68.50	
3.	By cash paid Everett P. Wheeler, New York, to refund his disbursements for the Committee to Suggest Remedies, etc.....	49.17	
3.	By cash paid John D. Lawson, Columbia, Mo., to refund his disbursements in attending meeting of Committee to Suggest Remedies, in Washington, D. C., December 7-9, 1914	92.65	
3.	By cash paid J. G. Slonecker, Topeka, Kans., to refund his disbursements in attending meeting of Committee to Suggest Remedies, in Washington, D. C., December 7, 1914	99.88	
5.	By cash paid Selden P. Spencer, St. Louis, Mo., to refund his disbursements in attending meeting of Committee on Publications in Philadelphia, Pa., on January 30, 1915	85.00	
21.	By cash paid William C. Niblack, Chicago, Ill., to refund his disbursements in attending meeting of Executive Committee in New York on January 9 and on February 12, 1915.....	170.00	
21.	By cash paid Commissioners on Uniform State Laws on account of appropriation made to them by the Association	406.66	
May 3.	By cash paid Lord Baltimore Press, Baltimore, Md., for printing, binding and shipping No. 1, Vol. 1, American Bar Association Journal	482.05	
	Carried forward	\$17,138.20	\$53,894.79

TREASURER'S REPORT.

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1915.	Brought forward	\$17,138.20	\$53,894.79
May 3.	By cash paid Lord Baltimore Press, Baltimore, Md., printing pam- phlets, express charges, etc...	121.39	
	3. By cash paid Addressograph Co., Chicago, Ill., for minor parts for addressograph machine	1.00	
	4. By cash paid Harry E. Pohlmann, Bal- timore, Md., for services ren- dered the Judicial Section.....	2.00	
	4. By cash paid Lord Baltimore Press, Baltimore, Md., printing proceed- ings and addresses of Judicial Section, postage, expressage, etc.	84.09	
	7. By cash paid J. B. Lyon Co., Albany, N. Y., furnishing and printing card on wrappers for American Bar Association Journal.....	45.00	
	7. By cash paid the postmaster, Albany, N. Y., for furnishing and print- ing card on 10,000 two-cent stamped envelopes	213.60	
	24. By cash paid Peter W. Meldrim, Sa- vannah, Ga., to refund his dis- bursements in attending confer- ence with Governor Baldwin, Chairman of Committee on Pub- lications, American Bar Associa- tion Journal	74.25	
	29. By cash paid A. I. Vorys, Columbus, O., to refund his disbursements in attending meeting of Com- mittee on Insurance Law at New York, May 3.....	79.40	
	29. By cash paid Charles W. Farnham, St. Paul, Minn., to refund his dis- bursements in attending meeting of Committee on Insurance Law in New York, May 3.....	125.30	
	Carried forward	\$17,884.23	\$53,894.79

1915.	Brought forward	\$17,884.23	\$53,894.79
May 29.	By cash paid Ashley Cockrill, Little Rock, Ark., to refund his disbursements in attending meeting of Committee on Insurance Law in New York, May 3.....	127.70	
29.	By cash paid Mrs. M. B. Underwood, Asbury Park, N. J., for services and disbursements in special work for membership committee.	16.79	
29.	By cash paid Lord Baltimore Press, Baltimore, Md., for printing and binding annual report for 1914, printing lists of officers, constitution and by-laws, freight, express, etc.	6,915.32	
June 2.	By cash paid Robert P. Shick, Philadelphia, Pa., to refund his disbursements for stationery and postage for Committee on Comparative Law Bureau in connection with sending out American Bar Association Journal.....	11.75	
2.	By cash paid Hudson Valley Paper Co., Albany, N. Y., for sheets for loose-leaf "dues" book.....	5.50	
2.	By cash paid Lucas Brothers, Inc., Baltimore, Md., for clasp envelopes furnished Judicial Section.	6.00	
2.	By cash paid Library Bureau, Albany, N. Y., for press-board guides, white and colored index file cards, etc.	7.61	
2.	By cash paid C. P. Brate, Albany, N. Y., for dues cards, second notice, Treasurer's receipts, return envelopes, etc.....	82.10	
	Carried forward	\$25,057.00	\$53,894.79

TREASURER'S REPORT.

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1915.	Brought forward	\$25,057.00	\$53,894.79
June 8.	By cash paid Morton Havens, Jr., Albany, N. Y., electrician, connect- ing motor with addresso- graph machine, Treasurer's office	1.80	
12.	By cash paid Lord Baltimore Press, Baltimore, Md., for miscellaneous printing, reports of committees, addresses, etc., stamped envel- opes, expressage, etc.....	1,558.44	
14.	By cash paid Library Bureau, Albany, N. Y., for set of colored guides lettered for ledger card system, Treasurer's office	4.00	
26.	By cash paid Addressograph Com- pany, Chicago, Ill., on account of new addressograph machine with motor installed in Treasurer's office	145.50	
28.	By cash paid Ernest T. Florance, New Orleans, La., to refund his disbursements in attending meet- ing of Committee on Commercial Law	77.50	
28.	By cash paid Carter, Rice & Co., Bos- ton, Mass., for various sets of colored record cards.....	15.30	
28.	By cash paid Fitz-Henry Smith, Jr., Boston, Mass., to refund his dis- bursements in attending meeting of Committee on Commercial Law	45.00	
28.	By cash paid Lord Baltimore Press, Baltimore, Md., printing circular letter with reference to Ameri- can Bar Association Journal....	4.50	
30.	By cash paid Hollis R. Bailey, Boston, Mass., to refund his disburse- ments in attending funeral of Hon. Charles F. Libby, Portland, Me., as representative of the Association	16.00	
	Carried forward	\$26,925.04	\$53,894.79

1915.	Brought forward	\$26,925.04	\$53,894.79
July 6.	By cash paid Charles M. Hepburn, Bloomington, Ind., to refund his disbursements for the Section of Legal Education	100.12	
6.	By cash paid Thomas W. Shelton, Norfolk, Va., to refund his dis- bursements for the Committee on Uniform Judicial Procedure.	74.00	
8.	By cash paid William W. Smithers, Philadelphia, Pa., on account of appropriation to the Comparative Law Bureau	1,000.00	
17.	By cash paid Eisenstadt Manufactur- ing Co., St. Louis, Mo., for five hundred membership buttons for use at annual meeting in Utah..	105.00	
17.	By cash paid Orrin N. Carter, Chicago, Ill., to refund his dis- bursements for the Judicial Sec- tion	50.34	
17.	By cash paid R. W. Avery, Albany, N. Y., printing 2000 return en- velopes	3.00	
22.	By cash paid Amy S. Gibb, New York, stenographer, for services ren- dered the Committee to Suggest Remedies	21.95	
22.	By cash paid Thomas I. Parkinson, New York, to refund his disburse- ments for the Committee on Leg- islative Drafting	6.00	
22.	By cash paid J. Craig Peacock, New York, for services rendered the Committee on Legislative Draft- ing	75.00	
	Carried forward	\$28,360.45	\$53,894.79

TREASURER'S REPORT.

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1915.	Brought forward	\$28,360.45	\$53,894.79
July 22.	By cash paid William Draper Lewis, Philadelphia, Pa., to refund his disbursements for Committee on Legislative Drafting	42.35	
22.	By cash paid Lord Baltimore Press, Baltimore, Md., for miscellaneous printing	23.82	
22.	By cash paid Lord Baltimore Press, Baltimore, Md., for printing and binding No. 2, Vol. 1, April num- ber of The American Bar Asso- ciation Journal	1,063.63	
26.	By cash paid Lord Baltimore Press, Baltimore, Md., to refund their disbursements for express charges	12.96	
26.	By cash paid Rome G. Brown, Minne- apolis, Minn., to refund his dis- bursements being balance of appropriation to Committee to Oppose the Judicial Recall for 1914-1915	105.00	
26.	By cash paid Adolph L. Pincoffs, New York, for services rendered Com- parative Law Bureau.....	4.36	
26.	By cash paid S. G. Adams Stamp & Stationery Co., St. Louis, Mo., for badges for reception committee.	3.75	
Aug. 2.	By cash paid the postmaster, Albany, N. Y., for 5000 No. 13 two-cent stamped envelopes and printing Treasurer's card on same.....	106.80	
4.	By cash paid Lord Baltimore Press, Baltimore, Md., printing Vol. 3, American Bar Association Jour- nal (July number).....	1,482.33	
	Carried forward	\$31,205.45	\$53,894.79

1915.	Brought forward	\$31,205.45	\$53,894.79
Aug. 4.	By cash paid Lord Baltimore Press, Baltimore, Md., for printing, postage and expressage for Com- mittee on Publicity.....	18.61	
4.	By cash paid William H. Staake, Philadelphia, Pa., to refund his disbursements in attending meet- ings of Executive Committee in New York in January and Feb- ruary	28.05	
4.	By cash paid William H. Staake, Philadelphia, Pa., to refund his disbursements for the Committee on Publications, American Bar Association Journal	3.48	
	By cash paid Argus Company, Al- bany, N. Y., printers, for mis- cellaneous printing, stationery, stamped envelopes, tickets, circu- lars, etc., during year 1914-1915.	730.76	
	By cash paid C. P. Brate, Albany, N. Y., printer, for letter heads and stamped envelopes during year 1914-1915	378.90	
	By cash paid Brandow Printing Co., Albany, N. Y., printers, for letter heads furnished during 1914-1915	29.25	
	By cash paid United States Express Co. and American Express Co. for shipments during 1914-1915 exclusive of shipment of annual report	33.35	
	By cash paid Calvert Building & Con- struction Co., Baltimore, Md., for rent of storage room in Baltimore for 1914-1915	100.00	
	Carried forward	\$32,522.85	\$53,894.79

TREASURER'S REPORT.

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1915.	Brought forward	\$32,522.85	\$53,894.79
	By cash paid Munsey Building, Baltimore, Md., for rent of office during 1914-1915	300.00	
	By cash paid George Whitelock, Baltimore, Md., Secretary, to refund his disbursements for salaries of assistants for 1914-1915.....	3,000.00	
	By cash paid George Whitelock, Baltimore, Md., Secretary, to refund his disbursements during the year 1914-1915—		
	For postage, stamped envelopes and postals	217.39	
	For transportation of packages	1.60	
	For stationery and supplies...	19.20	
	For miscellaneous printing...	74.20	
	For traveling expenses, self and assistants, telephone and telegraph, equipment, books and sundries	1,216.89	
	For disbursements at annual meeting	331.95	
	For disbursements a/c American Bar Association Journal	119.63	
	By cash paid Frederick E. Wadhams, Albany, N. Y., Treasurer, to refund his disbursements for salary of assistants during 1914-1915..	2,000.00	
	By cash paid Frederick E. Wadhams, Albany, N. Y., Treasurer, to refund his disbursements during the year 1914-1915—		
	For postage, stamped envelopes, postals	13.51	
	For transportation of packages	15.53	
	For disbursements at annual meeting	266.46	
	For traveling expenses, self and assistants, telephone and telegraph, equipment, books, extra clerk hire, sundries..	1,281.69	
	For stationery and supplies...	36.70	
	Total disbursements	\$41,417.60	\$53,894.79

AMERICAN BAR ASSOCIATION.

Summary.

Total receipts	\$53,894.79
Total disbursements	41,417.60

Balance on hand August

4, 1915 \$12,477.19

Which balance consists of

Amount deposited to the credit
of American Bar Association,
Frederick E. Wadhams, Treas-
urer, in Albany Trust Com-
pany, Albany, N. Y. \$ 4,463.41

Amount deposited to the credit
of American Bar Association,
Frederick E. Wadhams, Treas-
urer, in Albany Trust Com-
pany, Albany, N. Y., special
interest account 8,000.00

To cash on hand in Treasurer's
office 13.78

Balance \$12,477.19

Approved August 17, 1915.

ROME G. BROWN,
JOHN T. RICHARDS,
Auditing Committee.

REPORT OF THE EXECUTIVE COMMITTEE

SALT LAKE CITY, UTAH, August 17, 1915

The Executive Committee respectfully reports that under the last clause of Art. IV, of the Constitution, providing for the election of members by the Executive Committee between meetings when nominated by a majority of the Vice-President and Local Council, 271 new members were elected.

The committee has elected to honorary membership the following:

Rt. Hon. Rómulo S. Naón, Ambassador from the Argentine Republic to the United States; and

Rt. Hon. Viscount Alverstone, formerly Lord Chief Justice of England.

Both Ambassador Naón and Lord Alverstone have accepted election; the letter of acceptance of Lord Alverstone is hereto annexed as a part of this report.

The committee further reports that in accordance with By-Law XII appropriations were made for the use of the committees of 1914-15 not exceeding the following amounts:

Insurance Committee	\$ 250
Commercial Law	200
To Oppose Judicial Recall.....	1250
Uniform Judicial Procedure.....	400
Membership	2500
To Suggest Remedies.....	500
Publicity	300
Legislative Drafting	300
Commissioners on Uniform State Laws.....	1000
Section of Legal Education.....	500
Section of Legal Education for use of Committee on Standard Rules for Admission to Bar.....	750
Judicial Section	300
Jurisprudence and Law Reform.....	250
Comparative Law Bureau.....	750

The Treasurer was directed to pay the expenses incurred by J. Nota McGill in arranging hotel accommodations for the members in Washington.

A special committee of three was appointed by the President to prepare for insertion in the report of the Association a résumé of important federal and state legislation for the years 1913-14-15, and the Executive Committee passed a resolution recommending to the Association the establishment of a permanent Standing Committee for such purpose.

The special committee appointed by the President to prepare such résumé consisted of: Thomas I. Parkinson, New York; William H. Loyd, Philadelphia, and Donald R. Richberg, Illinois. The Treasurer was authorized to pay to this committee for expenses a sum not exceeding \$250.

A Special Committee on Reports and Digests, consisting of one member from each state, which was authorized by resolution of October 21, 1914, was appointed by the President. Thomas H. Reynolds of Missouri is Chairman of this committee.

The resolution offered by Tore Teigen of South Dakota at the annual meeting in Washington and referred to the Executive Committee, was duly considered by the committee, viz.:

"Resolved, That the officers of this Association and the members of the Executive Committee be authorized to secure and present for dedication in the Washington Monument a tablet or stone with suitable inscription as the tribute of this Association to the name of Washington."

It was unanimously decided that the resolution could not be appropriately carried out, and the committee so reports to the Association.

The Special Committee on the Publication of a Journal reported favorably at a meeting of the Executive Committee in February, 1915, and recommended that the matter be placed in the hands of the Publication Committee of the Association, Simeon E. Baldwin, of Connecticut, Chairman. It was decided to issue the JOURNAL quarterly at an annual cost to members of \$1.50, not to be an additional charge, but to be appropriated out of dues; the price to non-members to be \$3. Three numbers of the JOURNAL have already issued, the first as of January, the second in April and the third in July, 1915.

The attention of the committee was called to the dire need of refugee lawyers impoverished and rendered homeless by the war, and a special committee, consisting of the President of the Association and the former presidents thereof, was appointed and authorized to take up with the members of the American Bar Association and kindred legal organizations in the United States the question of voluntary subscriptions to this cause, and to distribute and apply such funds as the Special Committee might receive. Hon. Joseph H. Choate was appointed Chairman of the committee; and the Secretary and Treasurer of the Association were appointed *ex-officio* Secretary and Treasurer thereof.

The Executive Committee was advised of the death of the Rt. Hon. Sir Wm. Rann Kennedy, P. C., L. L. D., Lord Justice of the Court of Appeal in England, who was an honored guest of the Association at its meeting in Buffalo, in 1889, and again at its meeting in St. Louis, in 1904; and who was also in attendance at Portland, Me., in 1907, when the International Law Association held a meeting in connection with the American Bar Association. A memorial note was approved by the committee and copy transmitted to the International Law Association.

The committee was also advised of the death of Mr. F. P. Ward, publicity agent of the Association. A memorial note was spread upon the minutes, and copy sent to the family of Mr. Ward.

The committee has also been advised of the death of Sir François Langelier of Montreal, Canada, an honorary member of the Association.

The University of North Carolina invited the Association to appoint a delegate to represent it at the Inauguration Ceremonies of Edward Kidder Graham as President of the University at Chapel Hill, April 21, 1915. The President appointed P. A. Willcox, of South Carolina, to represent the Association.

An invitation was extended by the Trustees and Faculty of Allegheny College, Meadville, Pa., to the One Hundredth Anniversary of the Founding of the College, June 20, 1915. The President appointed William M. Hargest, of Pennsylvania, to represent the Association on this occasion.

The National Council of the World's Insurance Congress will meet in San Francisco, Cal., October 4-16, 1915. The President has appointed Arthur I. Vorys, of Ohio, to represent the Association on that occasion.

The President appointed Hampton L. Carson, of Pennsylvania, to represent the Association at the funeral of W. U. Hensel, of Pennsylvania, who had been an active and most efficient member of the Association since 1891; and Hollis R. Bailey, of Massachusetts, to represent the Association at the funeral of Charles F. Libby, of Maine, a former President of the Association, and twice a member of its Executive Committee.

The Treasurer was authorized to rent such additional office for the use of the Bar Association as he might find necessary.

In accordance with By-Law VIII of the Constitution, the President appointed a Reception Committee of 15 members to attend immediately before and at the opening of the first day's session of the annual meeting to receive members and delegates and introduce them to each other, with a view of making them better acquainted and establishing a spirit of good fellowship among them. The members of the committee are as follows:

Herbert R. MacMillan, Utah,	Hugh H. Brown, Nevada,
<i>Chairman,</i>	Hollis R. Bailey, Mass.,
George B. Young, Vermont,	Henry D. Estabrook, New York,
William P. Bynum, N. C.,	Walter Geo. Smith, Penna.,
Wm. A. Blount, Florida,	Robert E. L. Saner, Texas,
Jacob Trieber, Arkansas,	Lynn Helm, California,
C. B. Smith, Kansas,	Percy D. Maddin, Tennessee,
George W. Weadock, Michigan,	Selden P. Spencer, Missouri.

The Executive Committee appointed Selden P. Spencer a committee of one to procure lapel buttons to identify members, for distribution and use among those in attendance at Salt Lake City.

The Executive Committee recommends to the Association the adoption of the following amendments to the Constitution and By-Laws, viz.:

(a) Amend Article VII of the Constitution, referring to dues, by omitting the last sentence of said article and substituting therefor the following:

"The annual dues include cost of the American Bar Association JOURNAL, which to members is \$1.50 per year. All other publications of the Association shall be free of charge to the members."

(b) Amend Article III of the Constitution so as to insert among the standing committees therein enumerated, and after

the words "On Professional Ethics," the words "Noteworthy Changes in Statute Law."

Amend Article II, subdivision f. of the By-Laws so as to insert among the list of standing committees to report, after the words "On Uniform State Laws," the words "On Noteworthy Changes in Statute Law."

(c) Amend Article III of the Constitution by striking out the words "On Commercial Law" and substituting therefor the words "On Commerce, Trade, and Commercial Law."

Amend Article II, subdivision f. of the By-Laws by striking out the words "On Commercial Law," and substituting therefor the words "On Commerce, Trade and Commercial Law."

(d) Amend Article XI of the Constitution by adding at the end thereof the words "and places over which the United States exercises extra-territorial jurisdiction."

Respectfully submitted,

PETER W. MELDRIM, *President*,
GEORGE WHITELOCK, *Secretary*,
FREDERICK E. WADHAMS, *Treasurer*,
WM. HOWARD TAFT,
WILLIAM H. BURGESS,
JOHN H. VOORHEES,
WILLIAM H. STAAKE,
WILLIAM C. NIBLACK,
SELDEN P. SPENCER,
WILLIAM P. BYNUM,
CHAPIN BROWN,

Executive Committee.

WINTERFOLD, CRANLEIGH, SURREY, June 23, 1915.

DEAR MR. WHITELOCK: Your telegram announcing my election as an honorary member of the American Bar Association came to me as a great surprise and afforded me great pleasure. I wired my acceptance at once. It has always been a matter of great regret that I was unable to accept the invitation of the Association so often repeated, but now alas! impossible of acceptance.

I have during the whole of my professional career had intimate friends among the American Bar. My father's name gave me my

first introduction. Among the earliest were David Dudley Field and Judge Peabody. The former visited me constantly when in England. Then came Randolph Robinson, with whom I was very intimate, and later on of course I knew well the Ambassadors Phelps, Lincoln, Hay, Bayard and Choate. My work as counsel on International Arbitrations gave me the friendship of James C. Carter, one of the most brilliant of American lawyers, Coudert, and Judge Blodgett, and later President Harrison, General Tracy, Russell Soley and Mallet Prevost. Then of course I knew very intimately Chief Justice Fuller, Mr. Justice Harlan and Mr. Justice Brewer. This list, by no means complete, will give you some indication of the number of eminent men whose friendship I have enjoyed, and I shall always regard my election as an honorary member of the Bar Association as the greatest compliment that has ever been paid me. I am,

Very faithfully yours,

ALVERSTONE.

MEMBERS AND DELEGATES REGISTERED

AT THE

THIRTY-EIGHTH ANNUAL MEETING

1915.

PRESIDENT.

Peter W. Meldrim, Savannah, Ga.

SECRETARY.

George Whitelock, Baltimore, Md.

TREASURER.

Frederick E. Wadhams, Albany, N. Y.

ASSISTANT SECRETARIES.

W. Thomas Kemp, Baltimore, Md.

Gaylord Lee Clark, Baltimore, Md.

EXECUTIVE COMMITTEE.

William H. Taft, New Haven, Conn.

William H. Burges, El Paso, Texas.

William H. Staake, Philadelphia, Pa.

William C. Niblack, Chicago, Ill.

Selden P. Spencer, St. Louis, Mo.

William P. Bynum, Greensboro, N. C.

Chapin Brown, Washington, D. C.

EX-PRESIDENTS.

Baldwin, Simeon E., New Haven, Conn.

Tucker, Henry St. George, Lexington, Va.

Lehmann, Frederick W., St. Louis, Mo.

Gregory, Stephen S., Chicago, Ill.

Taft, William H., New Haven, Conn.

ALABAMA.

Cooper, Lawrence, Huntsville.

Hundley, Oscar R., Birmingham.

McClellan, Thomas Cowan, Montgomery.

Rudolph, Z. T., Birmingham.

Sparks, Chauncey, Eufaula.

Thomas, E. Perry, Eufaula.

ALASKA.

Gunnison, Royal A., Juneau.

ARIZONA.

Hawkins, John J., Prescott.

Ross, Henry D., Phoenix.

ARKANSAS.

Arnold, William H., Texarkana.

Cockrill, Ashley, Little Rock.

Head, James D., Texarkana.

Hon, Daniel, Fort Smith.

Johnson, James V., Little Rock.

Oglesby, Ira D., Fort Smith.

Moore, Henry, Texarkana.

Pryor, Thomas B., Fort Smith.

Rose, George B., Little Rock.

Trieber, Jacob, Little Rock.

CALIFORNIA.

Bolton, A. E., San Francisco.

Burks, Paul, Los Angeles.

Dockweiler, Isidore B., Los Angeles.

Estudillo, Miguel, Riverside.

Helm, Lynn, Los Angeles.

Kemp, John W., Los Angeles.

McQuoid, W. N., San Francisco.

Porter, Frank M., Los Angeles.

Short, Frank H., Fresno.

Townsend, Charles E., San Francisco.

Will, Arthur P., Sacramento.

CHINA.

Lobingier, Charles S., Shanghai.

COLORADO.

Fleming, Russell W., Fort Collins.

Gabbert, William H., Denver.

Gregg, Frank E., Denver.

Hall, Henry C., Colorado Springs.

Johnson, Lewis B., Denver.

Manly, George C., Denver.

Morris, Ernest, Denver.

O'Donnell, T. J., Denver.

Rogers, Platt, Denver.

Selig, Hugo, Montrose.

Stevenson, A. M., Denver.

Stimson, Edward C., Denver.

CONNECTICUT.

Baldwin, Simeon E., New Haven.
 Daggett, Leonard M., New Haven.
 Harriman, Edward A., New Haven.
 Russell, Frank F., Putman.
 Taft, William H., New Haven.
 Wright, William A., New Haven.

DISTRICT OF COLUMBIA.

Bradford, E. W., Washington.
 Brown, Chapin, Washington.
 Davis, Henry E., Washington.
 Fenning, Frederick A., Washington.
 Leckie, A. E. L., Washington.
 Martin, George E., Washington.
 Stewart, Alonzo Hopkins, Washington.
 Thompson, Huston, Washington.

FLORIDA.

Blount, W. A., Pensacola.
 Boggs, Lucien H., Jacksonville.

GEORGIA.

Bennet, Sam S., Albany.
 Hammond, T. A., Atlanta.
 Hofmayer, I. J., Albany.
 Meldrim, Peter W., Savannah.

HAWAII.

Lightfoot, J., Honolulu.

IDAHO.

Arnold, Earl C., Moscow.
 Ayers, George D., Moscow.
 Bothwell, James R., Shoshone.
 Bowen, Arthur M., Twin Falls.
 Budge, Alfred, Boise.
 Budge, Jesse R. S., Pocatello.
 Davies, J. E., Twin Falls.
 Dietrich, Frank S., Boise.
 Edgington, George W., Idaho Falls.
 Gough, A. B., Montpelier.
 Gray, H. S., Twin Falls.
 Guheen, John J., Pocatello.
 Guthrie, W. P., Twin Falls.
 Hamer, Thomas R., St. Anthony.
 Hansbrough, G. F., Blackfoot.
 Lee, William A., Blackfoot.
 Lockhart, H. W., Pocatello.
 MacLane, John F., Boise.
 Merrill, A. L., Pocatello.
 Morgan, William M., Moscow.
 McClear, J. L., Boise.
 McDougall, D. C., Pocatello.
 Paine, Karl, Boise.
 Smith, Hugh, Twin Falls.
 St. Clair, Clency, Idaho Falls.

Sullivan, I. N., Boise.
 Thompson, H. B., Pocatello.
 Van Duyn, Owen M., Caldwell.
 Varian, Bertram S., Weiser.
 White, E. C., Pocatello.
 Wise, James H., Twin Falls.
 Witty, W. H., Pocatello.
 Wood, Fremont, Boise

ILLINOIS.

Bancroft, Edgar A., Chicago.
 Barr, W. W., Carbondale.
 Carter, Orrin N., Chicago.
 Demmon, Stephen, Chicago.
 Doyle, Leo J., Chicago.
 Elliott, Robert L., Chicago.
 Gregory, S. S., Chicago.
 Gueltig, Charles E., Edwardsville.
 Harley, Herbert, Chicago.
 Horner, Henry, Chicago.
 Humburg, Andrew P., Chicago.
 Kramer, Edward C., East St. Louis.
 Lee, Edward T., Chicago.
 Lewis, James Hamilton, Chicago.
 MacChesney, Nathan William, Chicago.
 Meyer, Abraham, Chicago.
 Niblack, William C., Chicago.
 Norton, T. J., Chicago.
 O'Connor Charles J., Chicago.
 Page, George T., Peoria.
 Pam, Max, Chicago.
 Parkinson, Robert H., Chicago.
 Rathbone, Henry R., Chicago.
 Rector, Edward, Chicago.
 Richards, John T., Chicago.
 Scandrett, Henry A., Chicago.
 Sheean, Thomas J., Galena.
 Walsh, Martin, Chicago.

INDIANA.

Baker, Charles S., Columbus.
 Forkner, George D., New Castle.
 Hepburn, Charles M., Bloomington.
 Ketcham, W. A., Indianapolis.
 Moores, Merrill, Indianapolis.
 Schoonover, I. E., Covington.

IOWA.

Bray, Thomas J., Grinnell.
 Deemer, H. E., Red Oaks.
 Dudley, Charles A., Des Moines.
 Flickinger, Isaac N., Council Bluffs.
 Frick, M. W., Rockwell City.
 Norris, W. H., Manchester.
 Silwold, Henry, Newton.
 Tinley, Emmet, Council Bluffs.

KANSAS.

Allen, Stephen H., Topeka.
 Curran, A. J., Pittsburg.
 Dawson, John S., Topeka.
 Dean, John S., Topeka.
 Long, Chester I., Wichita.
 Magaw, C. A., Topeka.
 Mulvane, D. W., Topeka.
 Osmond, William, Great Bend.
 Smith, Charles Blood, Topeka.
 Taggart, E. J., Wellington.

KENTUCKY.

Gordon, Maurice K., Madisonville.
 Tomlin, John G., Walton.
 Trabue, Edmund F., Louisville.

LOUISIANA.

Carmouche, William J., Crowley.
 Florance, Ernest T., New Orleans.
 Hart, W. O., New Orleans.
 Leake, Hunter C., New Orleans.
 Thornton, J. R., New Orleans.
 Wall, Isaac D., Baton Rouge.

MARYLAND.

Briscoe, John P., Prince Frederick.
 Clark, Gaylord Lee, Baltimore.
 Colston, Frederick C., Baltimore.
 Duffy, Henry, Baltimore.
 Griswold, Robertson, Baltimore.
 Hinkley, John, Baltimore.
 Kemp, W. Thomas, Baltimore.
 Sleman, Paul, Chevy Chase.
 Stockbridge, Henry, Baltimore.
 Whitelock, George, Baltimore.

MASSACHUSETTS.

Bailey, Hollis R., Cambridge.
 Frankfurter, Felix, Cambridge.
 Ladd, Nathaniel W., Boston.
 Lowell, John, Boston.
 O'Connell, Joseph F., Boston.
 Williston, Samuel, Cambridge.

MICHIGAN.

Arthur, Jesse, Battle Creek.
 Ball, Dan H., Marquette.
 Bates, George W., Detroit.
 Black, Cyrenius P., Lansing.
 Clapperton, George, Grand Rapids.
 Corliss, John B., Detroit.
 Hall, James A., Detroit.
 January, William L., Detroit.
 Taylor, Walter R., Kalamazoo.

MINNESOTA.

Bright, Alfred H., Minneapolis.
 Brown, Rome G., Minneapolis.
 Fowler, Charles R., Minneapolis.
 Hallam, Oscar, St. Paul.
 Mason, Alfred F., St. Paul.
 Moonan, John, Waseca.
 Sasse, Frank G., Austin.
 Shearer, James D., Minneapolis.
 Smith, S. S., Worthington.

MISSISSIPPI.

Raton, B. E., Gulfport.
 Shands, A. W., Cleveland.

MISSOURI.

Barbour, E. A., Springfield.
 Blevins, John A., St. Louis.
 Buder, Oscar E., St. Louis.
 Cooper, Armwell L., Kansas City.
 Early, Marion C., St. Louis.
 Ellison, James, Kansas City.
 Garesche, Vital W., St. Louis.
 Hagerman, Lee W., St. Louis.
 Harkless, James H., Kansas City.
 Hoffman, H. B., St. Louis.
 Hoffman, Louis, Sedalia.
 Hull, James H., Platte City.
 Judson, Frederick N., St. Louis.
 King, James E., St. Louis.
 Lehmann, Frederick W., St. Louis.
 Michaels, William C., Kansas City.
 McClintock, W. S., Kansas City.
 McQuillin, Eugene, St. Louis.
 Oliver, Robert Burret, Cape Girardeau.
 Orr, Isaac H., St. Louis.
 Powell, Elmer N., Kansas City.
 Piatt, William H. H., Kansas City.
 Pike, Vinton, St. Joseph.
 Reynolds, Thomas H., Kansas City.
 Robert, Douglas W., St. Louis.
 Rombauer, Roderick E., St. Louis.
 Spencer, Selden P., St. Louis.
 Sturdevant, W. L., St. Louis.
 Taylor, Seneca N., St. Louis.
 Thomas, W. O., Kansas City.
 Wammack, Ralph, Bloomfield.
 Williams, William M., Boonville.

MONTANA.

Allen, Elbert F., Livingston.
 Belden, Oliver W., Lewiston.
 Brantley, Theodore, Helena.
 Day, E. C., Helena.
 Johnston, W. M., Billings.
 Keeley, William E., Deer Lodge.
 Mathews, Thomas J., Roundup.
 Scallon, William, Helena.
 Walsh, James A., Helena.

NEBRASKA.

Blackburn, Thomas W., Omaha.
 Baldridge, H. H., Omaha.
 Hall, Matthew A., Omaha.
 Kincaid, M. P., O'Neill.
 McHugh, William D., Omaha.
 Perry, Ernest B., Cambridge.
 Ryan, Charles G., Grand Island.
 Scandrett, B. W., Omaha.
 Wilson, Henry H., Lincoln.

NEVADA.

Brown, Hugh H., Tonopah.
 Chandler, Charles S., Ely.
 Cheney, A. E., Reno.
 Farrington, E. S., Carson City.
 Norcross, Frank H., Carson City.
 Price, Robert M., Reno.
 Sanders, John A., Tonopah.
 Taber, E. J. L., Elko.
 Talbot, G. F., Carson City.

NEW JERSEY.

Jones, William Clayton, Camden.
 McMaster, John S., Jersey City.

NEW MEXICO.

McMillen, Alonzo B., Albuquerque.
 Reid, William C., Albuquerque.
 Seaberg, Hugo, Raton.

NEW YORK.

Barnes, Milan Day, New York.
 Battle, George Gordon, New York.
 De Angelis, P. C. J., Utica.
 Estabrook, Henry D., New York.
 Fleischmann, Simon, Buffalo.
 Gifford, James M., New York.
 Goldman, Samuel P., New York.
 Griffin, Charles Lamson, New York.
 Murray, A. Gordon, New York.
 Parkinson, Thomas L., New York.
 Terry, Charles Thaddeus, New York.
 Viele, Dorr, New York.
 Wadhams, Frederick E., Albany.

NORTH CAROLINA.

Aydlett, E. F., Elizabeth City.
 Bynaum, William P., Greensboro.
 Manly, Clement, Winston Salem.

NORTH DAKOTA.

Bronson, H. A., Grand Forks.
 Bruce, Andrew A., Bismarck.
 Christianson, A. M., Bismarck.
 Hildreth, M. A., Fargo.

OHIO.

Greve, Charles Theodore, Cincinnati.
 Hartley, M. J., Xenia.
 Howland, Paul, Cleveland.
 Kibler, Edward, Newark.
 Young, William E., Akron.

OKLAHOMA.

Blair, Robert F., Wagoner.
 Foeter, E. H., Oklahoma City.
 Hayes, Samuel W., Oklahoma City.
 Grinstead, Elmer E., Pawhuska.
 Kleinschmidt, E. A., Oklahoma City.
 Kulp, Victor H., Norman.
 McCain, Farrar L., Muskogee.
 McDougal, D. A., Sapulpa.
 Riddle, F. E., Chickasha.
 Sharp, J. F., Oklahoma City.
 Treadwell, S. C., Oklahoma City.

OREGON.

Teal, Joseph N., Portland.

PENNSYLVANIA.

Abbott, Edwin M., Philadelphia.
 Carson, Hampton L., Philadelphia.
 Driscoll, D. J., St. Marys.
 Gilkyson, H. H., Phoenixville.
 Griffith, Warren G., Philadelphia.
 Lewis, William Draper, Philadelphia.
 Merchant, Edward, Philadelphia.
 Ralston, Robert, Philadelphia.
 Smith, Thomas Kilby, Philadelphia.
 Smith, Walter George, Philadelphia.
 Staake, William H., Philadelphia.
 Viti, Marcel A., Philadelphia.

PORTO RICO.

Toro, Emilio del, San Juan.

RHODE ISLAND.

Baker, Darius, Newport.
 Jenckes, Thomas A., Providence.

SOUTH CAROLINA.

Davis, Henry E., Florence.
 Mordecai, T. Moultrie, Charleston.
 Ouzts, D. A. G., Greenwood.
 Willcox, P. A., Florence.

SOUTH DAKOTA.

Cherry, U. S. G., Sioux Falls.
 Hanten, John B., Watertown.
 Rice, William G., Deadwood.
 Teigen, Tore, Sioux Falls.

TENNESSEE.

Chambliss, John A., Chattanooga.
 Hughes, Allen, Memphis.
 Maddin, Percy D., Nashville.
 McAlister, W. K., Nashville.

TEXAS.

Bailey, Joseph W., Gainesville.
 Bell, C. L., Karnes City.
 Bonner, William Neely, Wichita Falls.
 Brundidge, O. D., Dallas.
 Burford, A. L., Texarkana.
 Burgess, William H., El Paso.
 Burgess, J. L., Dallas.
 Glass, Hiram, Austin.
 Hume, F. Charles, Jr., Houston.
 Johnson, H. E., Dallas.
 McKnight, A. H., Dallas.
 Neff, Pat. M., Waco.
 Potts, Charles Shirley, Austin.
 Rice, B. H., Austin.
 Saner, R. E. L., Dallas.
 Searcy, William W., Brenham.
 Townes, John C., Austin.

UTAH.

Alexander, Daniel, Salt Lake City.
 Allison, E. M., Jr., Salt Lake City.
 Armstrong, S. P., Salt Lake City.
 Ashton, E. C., Salt Lake City.
 Badger, Carl A., Salt Lake City.
 Bagley, E. M., Jr., Salt Lake City.
 Bagley, Grant C., Provo.
 Bailey, Stephen A., Salt Lake City.
 Baker, Louis L., Tooele.
 Baldwin, Charles, Salt Lake City.
 Ball, J. H., Salt Lake City.
 Barnes, Claude T., Salt Lake City.
 Barrette, W. J., Salt Lake City.
 Bartch, G. W., Salt Lake City.
 Booth, Hiram E., Salt Lake City.
 Bowen, A. E., Logan.
 Boyd, Cornelius A., Ogden.
 Bradford, C. R., Salt Lake City.
 Bradley, Wm. M., Salt Lake City.
 Brayton, Dean F., Salt Lake City.
 Brown, J. Louis, Salt Lake City.
 Buckner, Carroll S., Salt Lake City.
 Burton, Harold H., Salt Lake City.
 Buttersfield, Robert H., Salt Lake City.
 Call, Justin D., Brigham City.
 Carlson, Oscar W., Salt Lake City.
 Cheney, A. M., Salt Lake City.
 Christy, John W., Salt Lake City.
 Cole, George A., Salt Lake City.
 Coleman, Jacob, Provo.
 Cowan, William J., Salt Lake City.
 Critchlow, E. B., Salt Lake City.

Davis, John C., Ogden.
 Davis, William E., Brigham City.
 DeVine, J. H., Ogden.
 Eccles, Royal, Ogden.
 Ellis, P. G., Salt Lake City.
 Evans, Isaac Blair, Salt Lake City.
 Evans, Jacob, Provo.
 Evans, Joseph E., Ogden.
 Evans, P. C., Salt Lake City.
 Farnsworth, P. T., Jr., Salt Lake City.
 Folland, W. H., Salt Lake City.
 Frick, J. E., Salt Lake City.
 Gideon, Valentine, Ogden.
 Gillette, C. A., Salt Lake City.
 Gregory, Walter H., Salt Lake City.
 Gustin, Frank J., Salt Lake City.
 Haas, Joseph R., Salt Lake City.
 Halverson, George, Salt Lake City.
 Hamer, Daniel, Salt Lake City.
 Hammond, J. T., Jr., Salt Lake City.
 Henderson, H. H., Ogden.
 Hollingsworth, Charles R., Ogden.
 Hoppage, A. L., Salt Lake City.
 Howell, J. A., Ogden.
 Hutchinson, W. R., Salt Lake City.
 Irvine, Alonzo Blair, Salt Lake City.
 Jensen, John, Salt Lake City.
 Jensen, David, Ogden.
 Jenson, Parley P., Salt Lake City.
 Johnson, Frank A., Salt Lake City.
 Johnson, J. E., Park City.
 Judd, Robert L., Salt Lake City.
 Kimball, Douglas B., Salt Lake City.
 Leary, William H., Salt Lake City.
 Lee, E. O., Salt Lake City.
 Lewis, T. D., Salt Lake City.
 Loofbouro, Frederick C., Salt Lake City.
 Lowe, Wm. J., Brigham City.
 Lyle, John V., Salt Lake City.
 Macmillan, Herbert R., Salt Lake City.
 Maginnis, S. A., Salt Lake City.
 Maginnis, Thomas J., Salt Lake City.
 Marks, William Sherman, Tooele.
 Melville, J. A., Delta.
 Miner, S. A., Salt Lake City.
 Mitchell, Thomas L., Salt Lake City.
 Moffat, David W., Murray.
 Moore, Henry I., Salt Lake City.
 Moreton, Arthur E., Salt Lake City.
 Morgan, A. B., Provo.
 Morgan, Nicholas G., Salt Lake City.
 Morse, C. W., Salt Lake City.
 Myers, Aaron, Salt Lake City.
 McCarty, Wilson, Salt Lake City.
 McDonald, J. H., Provo.
 Nebeker, Franklin K., Salt Lake City.
 Nibley, Joel, Salt Lake City.
 Odum, Floyd B., Salt Lake City.
 Olson, Culbert L., Salt Lake City.

Parke, Dale R., Salt Lake City.
 Parker, G. P., Provo.
 Parsons, C. C., Jr., Salt Lake City.
 Rasmussen, Clyde, Salt Lake City.
 Rawlins, Athol, Salt Lake City.
 Rawlins, Joseph L., Salt Lake City.
 Ray, William W., Salt Lake City.
 Rice, Charles A., Salt Lake City.
 Rich, Benjamin L., Salt Lake City.
 Richards, Frank S., Salt Lake City.
 Richards, Franklin S., Salt Lake City.
 Richards, Preston D., Salt Lake City.
 Richards, Stephen L., Salt Lake City.
 Ritchie, Morris L., Salt Lake City.
 Riter, W. D., Salt Lake City.
 Rogers, E. A., Salt Lake City.
 Ruder, W. H., Jr., Ogden.
 Russell, Samuel, Salt Lake City.
 Sanford, Allan T., Salt Lake City.
 Sawyer, A. B., Jr., Salt Lake City.
 Schuldner, Russell G., Salt Lake City.
 Scott, B. N. C., Salt Lake City.
 Shields, Dan B., Salt Lake City.
 Shields, Henry, Park City.
 Skeen, D. A., Salt Lake City.
 Skeen, Jedediah D., Salt Lake City.
 Smith, Benner X., Salt Lake City.
 Smith, Dana T., Salt Lake City.
 Smith, George H., Salt Lake City.
 Snyder, Bismarck, Salt Lake City.
 Snyder, Wilson I., Salt Lake City.
 Soule, O. P., Salt Lake City.
 Stall, R. N. C., Salt Lake City.
 Stephens, Frank B., Salt Lake City.
 Stewart, Barnard J., Salt Lake City.
 Stewart, Charles B., Salt Lake City.
 Stewart, Samuel W., Salt Lake City.
 Stockman, Jay H., Salt Lake City.
 Story, William, Salt Lake City.
 Story, William, Jr., Salt Lake City.
 Stump, James A., Salt Lake City.
 Sutherland, George, Salt Lake City.
 Swaner, L. B., Salt Lake City.
 Thatcher, Roy D., Logan.
 Thomas, D. H., Salt Lake City.
 Thurman, Samuel R., Salt Lake City.
 VanCott, Ray, Salt Lake City.
 Varian, C. S., Salt Lake City.
 Walters, J. C., Logan.
 Warner, Mahlon M., Salt Lake City.
 Wilkins, W. H., Salt Lake City.
 Willey, David O., Jr., Salt Lake City.
 Willey, I. E., Salt Lake City.
 Williams, P. L., Salt Lake City.
 Williams, Paul, Salt Lake City.
 Wilson, Mahlon E., Salt Lake City.
 Wolfe, James H., Salt Lake City.
 Wood, J. Clarence, Salt Lake City.

Woolley, Dilworth, Manti.
 Wootton, J. Tracey, Salt Lake City.
 Wight Lee B., Salt Lake City.
 Young, LeRoy B., Brigham City.

VERMONT.

Young, George B., Newport.

VIRGINIA.

Christian, Frank P., Lynchburg.
 Massie, Eugene C., Richmond.
 Shelton, Thomas Wall, Norfolk.
 Tucker, H. St. George, Lexington.

WASHINGTON.

Cockerill, O. P., Seattle.
 Ellis, Overton G., Olympia.
 Grosscup, Benjamin S., Tacoma.
 Padgett, B. E., Everett.
 Savery, C. D., Tacoma.
 Shepard, Charles E., Seattle.
 Thomas, Josiah, Seattle.
 Winfree, W. H., Spokane.

WEST VIRGINIA.

Alderson, Fleming N., Richwood.
 Law, J. E., Clarksburg.
 Miller, William N., Parkersburg.
 Robinson, Delbert T., Charleston.
 Robinson, Ira E., Charleston.
 Robinson, Jed W., Grafton.
 Vandervort, J. W., Parkersburg.

WISCONSIN.

Goggins, Bernard R., Grand Rapids.
 Hayes, William A., Milwaukee.
 Sanborn, John B., Madison.

WYOMING.

Arnold, C. P., Laramie.
 Arnold, John R., Evanston.
 Ausherman, B. M., Evanston.
 Blydenburgh, Charles E., Rawlins.
 Cazier, W. H., Afton.
 Clark, C. D., Evanston.
 Crawford, Abraham, Evanston.
 Kinkead, William C., Cheyenne.
 Kline, M. A., Cheyenne.
 Matson, Roderick N., Cheyenne.
 Mullen, William E., Cheyenne.
 McMurray, Will, Laramie.
 Potter, Charles N., Cheyenne.
 Simpson, William Lee, Cody.
 Sullivan, Joseph R., Laramie.
 Walton, Reuel, Evanston.

Total Registration 531.

DELEGATES

FROM

STATE AND LOCAL BAR ASSOCIATIONS

1915.

ALABAMA STATE BAR ASSOCIATION.

E. PERRY THOMAS..... Eufaula.
J. T. STOKELY..... Birmingham.
CLAUDE E. HAMILTON..... Greenville.

ARIZONA BAR ASSOCIATION.

JOHN J. HAWKINS..... Prescott.
HENRY D. ROSS..... Phoenix.

CALIFORNIA BAR ASSOCIATION.

FRANK P. FLINT..... Los Angeles.
WILLIAM S. WELLS..... Oakland.
STANLEY MOORE San Francisco.

STATE BAR ASSOCIATION OF CONNECTICUT.

WILLIAM WALDO HYDE..... Hartford.
EDWARD AVEY HARRIMAN..... New Haven.
FRANK D. HAINES..... Middletown.

BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA.

HENRY E. DAVIS..... Washington.
CHAPIN BROWN Washington.
J. NOTA MCGILL..... Washington.

COLORADO BAR ASSOCIATION.

FRANK E. GREGG..... Denver.
ERNEST MORRIS Denver.
HENRY T. ROGERS Denver.

GEORGIA BAR ASSOCIATION.

LUTHER Z. ROSSER..... Atlanta.
H. A. WILKINSON..... Dawson.
HOLLINS N. RANDOLPH..... Atlanta.

ILLINOIS STATE BAR ASSOCIATION.

DELEGATES.

EDGAR A. BANCROFT.....Chicago.
 EDWARD C. KRAMER.....East St. Louis.
 THOMAS J. NORTON.....Chicago.

ALTERNATES.

SAMUEL ALSCHULER.....Chicago.
 THOMAS WORTHINGTON.....Jacksonville.
 GEORGE T. BUCKINGHAM.....Chicago.

STATE BAR ASSOCIATION OF INDIANA.

WILLIAM A. KETCHAM.....Indianapolis.
 MERRILL MOORES.....Indianapolis.
 CHARLES L. JEWETT.....New Albany.

IOWA STATE BAR ASSOCIATION.

H. E. DEEMER.....Red Oak.
 FRED W. SARGENT.....Des Moines.
 EMMET TINLEY.....Council Bluffs.

BAR ASSOCIATION OF THE STATE OF KANSAS.

A. J. CURRAN.....Pittsburg.
 O. O. OSBURN.....Stockton.
 A. M. HARVEY.....Topeka.

KENTUCKY STATE BAR ASSOCIATION.

EDMUND F. TRABUE.....Louisville.

LOUISIANA BAR ASSOCIATION.

W. O. HAET.....New Orleans.
 ERNEST T. FLORANCE.....New Orleans.
 W. J. CARMOUCHE.....Crowley.

MARYLAND STATE BAR ASSOCIATION.

HENRY STOCKBRIDGE.....Baltimore.
 MORRIS A. SOPER.....Baltimore.
 ALFRED JENKINS SHRIVER.....Baltimore.

MASSACHUSETTS BAR ASSOCIATION.

HOLLIS R. BAILEY.....Boston.
 JOHN LOWELL.....Boston.
 ERNEST H. VAUGHAN.....Worcester.

MICHIGAN STATE BAR ASSOCIATION.

WALTER R. TAYLOR.....Kalamazoo.
 GEORGE CLAPPERTON.....Grand Rapids.
 FRANK EAMONS.....Detroit.

MINNESOTA STATE BAR ASSOCIATION.

C. R. FOWLER.....Minneapolis.
 CHESTER A. CONGDON.....Duluth.
 L. L. BROWN.....Winona.

MISSOURI BAR ASSOCIATION.

ELMER N. POWELL.....Kansas City.
 WILLIAM O. THOMAS.....Kansas City.

MISSISSIPPI STATE BAR ASSOCIATION.**DELEGATES.**

WALTER SILLERS.....Rosedale.
 W. D. ANDERSON.....Tupelo.
 W. S. WELCH.....Laurel.

ALTERNATES.

O. G. JOHNSTON.....Clarksdale.
 G. G. LYELL.....Jackson.
 J. G. MCGOWAN.....Water Valley.

MONTANA BAR ASSOCIATION.

O. W. BELDON.....Lewiston.

NEBRASKA STATE BAR ASSOCIATION.

M. A. HALL.....Omaha.

NEW JERSEY STATE BAR ASSOCIATION.**DELEGATES.**

HOWARD CARROW.....Camden.
 EDWARD Q. KEASBEY.....Newark.
 JOHN S. McMASTER.....Jersey City.

ALTERNATES.

JOHN FRANKLIN FORT.....Newark.
 HUGH K. GASTON.....Somerville.
 ALAN H. STRONG.....New Brunswick.

NORTH CAROLINA BAR ASSOCIATION.**DELEGATES.**

W. W. KITCHIN.....Raleigh.
 A. W. McLEAN.....Lumberton.
 W. A. TOWNES.....Wilmington.

ALTERNATES.

A. B. ANDREWS, JR.....Raleigh.
 H. F. SEAWELL.....Carthage.
 O. F. MASON.....Gastonia.

OHIO STATE BAR ASSOCIATION.

DELEGATES.

GEORGE R. YOUNG.....Dayton.
 M. J. HARTLEY.....Xenia.
 EDWARD KIBLERNewark.

ALTERNATES.

JOHN M. ORMOND.....Toledo.
 JOHN H. PRICE.....Cleveland.
 D. J. CABLE.....Lima.

OKLAHOMA STATE BAR ASSOCIATION.

RALPH E. CAMPBELL.....Muskogee.
 J. R. KEATON.....Oklahoma City.
 FRANK M. BAILEY.....Chickasha.

PENNSYLVANIA BAR ASSOCIATION.

DELEGATES.

HAMPTON L. CARSON.....Philadelphia.
 ROBERT RALSTONPhiladelphia.
 WALTER GEORGE SMITH.....Philadelphia.

ALTERNATES.

EDWIN M. ABBOTT.....Philadelphia.
 EDWARD H. BONSALE.....Philadelphia.
 WILLIAM DRAPEE LEWIS.....Philadelphia.

RHODE ISLAND BAR ASSOCIATION.

DARIUS BAKERNewport.
 HERBERT A. RICE.....Providence.
 THOMAS A. JENCKES.....Providence.

BAR ASSOCIATION OF TENNESSEE.

D. C. WEBB.....Knoxville.
 NORMAN FARRELLNashville.
 SILAS MCBEEMemphis.

WASHINGTON STATE BAR ASSOCIATION.

CHARLES E. SHEPARD.....Seattle.
 REEVES AYLMORE, JR.....Seattle.
 W. H. WINFREE.....Spokane.

WEST VIRGINIA BAR ASSOCIATION.

A. S. HOOTON.....Moundsville.
 JNO. T. GRAHAM.....Huntington.
 S. M. MCCLINTIC.....Marlinton.

WYOMING STATE BAR ASSOCIATION.

CHARLES N. POTTER.....Cheyenne.
 NELLIS E. CORTHELL.....Laramie.
 CHARLES E. BLYDENBURGH.....Rawlins.

ANNUAL DINNER

The Annual Dinner was held on Thursday evening, August 19, 1915, at the Hotel Utah, Salt Lake City. Henry D. Estabrook, of New York, presided.

The speakers were:

Samuel R. Thurman, of Utah,

Peter W. Meldrim, of Georgia,

Joseph W. Bailey, of Texas,

Hamilton Lewis, of Illinois,

William Howard Taft, of Connecticut.

Three hundred and nine members and guests were present.

LIST OF PRESIDENTS

1. 1878-79-*JAMES O. BROADHEAD¹..... St. Louis, Missouri.
2. 1879-80-*BENJAMIN H. BRISTOW..... New York, New York.
3. 1880-81-*EDWARD J. PHELPS..... Burlington, Vermont.
4. 1881-82-*CLARKSON N. POTTER²..... New York, New York.
5. 1882-83-*ALEXANDER R. LAWTON..... Savannah, Georgia.
6. 1883-84-*CORTLANDT PARKER Newark, New Jersey.
7. 1884-85-*JOHN W. STEVENSON..... Covington, Kentucky.
8. 1885-86-*WILLIAM ALLEN BUTLER.... New York, New York.
9. 1886-87-*THOMAS J. SEMMES..... New Orleans, Louisiana.
10. 1887-88-*GEORGE G. WRIGHT..... Des Moines, Iowa.
11. 1888-89-*DAVID DUDLEY FIELD..... New York, New York.
12. 1889-90-*HENRY HITCHCOCK St. Louis, Missouri.
13. 1890-91-SIMEON E. BALDWIN..... New Haven, Connecticut.
14. 1891-92-*JOHN F. DILLON..... New York, New York.
15. 1892-93-*JOHN RANDOLPH TUCKER.... Lexington, Virginia.
16. 1893-94-*THOMAS M. COOLEY³..... Ann Arbor, Michigan.
17. 1894-95-*JAMES C. CARTER..... New York, New York.
18. 1895-96-MOORFIELD STOREY Boston, Massachusetts.
19. 1896-97-*JAMES M. WOOLWORTH..... Omaha, Nebraska.
20. 1897-98-*WILLIAM WERT HOWE..... New Orleans, Louisiana.
21. 1898-99-JOSEPH H. CHOATE⁴..... New York, New York.
22. 1899-1900-*CHARLES F. MANDERSON... Omaha, Nebraska.
23. 1900-1901-EDMUND WETMORE New York, New York.
24. 1901-1902-*U. M. ROSE..... Little Rock, Arkansas.
25. 1902-1903-FRANCIS RAWLE Philadelphia, Pennsylvania.
26. 1903-1904-*JAMES HAGERMAN St. Louis, Missouri.
27. 1904-1905-HENRY ST. GEO. TUCKER.... Lexington, Virginia.
28. 1905-1906-GEORGE R. PECK..... Chicago, Illinois.
29. 1906-1907-ALTON B. PARKER..... New York, New York.
30. 1907-1908-J. M. DICKINSON..... Chicago, Illinois.
31. 1908-1909-FREDERICK W. LEHMANN... St. Louis, Missouri.
32. 1909-1910-*CHARLES F. LIBBY..... Portland, Maine.
33. 1910-1911-EDGAR H. FARRAR..... New Orleans, Louisiana.
34. 1911-1912-STEPHEN S. GREGORY..... Chicago, Illinois.
35. 1912-1913-FRANK B. KELLOGG..... St. Paul, Minnesota.
36. 1913-1914-WILLIAM H. TAFT..... New Haven, Connecticut.
37. 1914-1915-PETER W. MELDRIM..... Savannah, Georgia.
38. 1915-1916-ELIHU ROOT New York, New York.

* Deceased.

¹ At the Conference for organizing the Association in 1878, John H. B. Latrobe, of Maryland, was elected Temporary Chairman, and when the organization was completed, Benjamin H. Bristow, of Kentucky, was elected President of the Conference.

² In consequence of the death of Clarkson N. Potter, Francis Kernan, of New York, presided and prepared and delivered the President's Address in 1882.

³ In consequence of the illness of Thomas M. Cooley, Samuel F. Hunt, of Ohio, presided and read the President's Address prepared by Judge Cooley in 1894.

⁴ In consequence of the absence of Joseph H. Choate, as Ambassador to Great Britain, Charles F. Manderson, of Nebraska, presided and prepared and delivered the President's Address in 1899.

LIST OF SECRETARIES

1. 1878-93-*EDWARD OTIS HINKLEY¹.....Baltimore, Maryland.
2. 1893-1909-JOHN HINKLEY²Baltimore, Maryland.
3. 1909- GEORGE WHITELOCKBaltimore, Maryland.

LIST OF ASSISTANT SECRETARIES

1. 1909-1910-ALBERT C. RITCHIE.....Baltimore, Maryland.
2. 1910- W. THOMAS KEMP.....Baltimore, Maryland.
3. 1913- GAYLORD LEE CLARK³.....Baltimore, Maryland.

LIST OF TREASURERS

1. 1878-1902-FRANCIS RAWLEPhiladelphia, Penna.
2. 1902- FREDERICK E. WADHAMS....Albany, New York.

* Deceased.

¹ In 1878, Francis Rawle, of Pennsylvania, and Isaac Grant Thompson, of New York, acted as temporary Secretaries and as Secretaries of the Conference. In 1886, Edward Otis Hinkley being absent, Walter George Smith, of Pennsylvania, acted as Secretary *pro tempore*.

² In 1898, John Hinkley being absent, George P. Wanty, of Michigan, acted as Secretary *pro tempore*.

³ In 1913, by virtue of amendment to Constitution, the Executive Committee elected two Assistant Secretaries.

LIST OF EXECUTIVE COMMITTEE

1. 1878-87-*LUKE P. POLAND.....St. Johnsbury, Vermont.
2. 1878-88-SIMEON E. BALDWIN¹.....New Haven, Connecticut.
3. 1878-80-*WILLIAM A. FISHER.....Baltimore, Maryland.
4. 1880-85-*WILLIAM ALLEN BUTLER.....New York, New York.
5. 1885-90-*CHARLES C. BONNEY¹.....Chicago, Illinois.
6. 1887-96-*GEORGE A. MERCER.....Savannah, Georgia.
7. 1888-90-*JOHN RANDOLPH TUCKER...Lexington, Virginia.
8. 1890-91-*WILLIAM P. WELLS.....Detroit, Michigan.
9. 1890-99-ALFRED HEMENWAY.....Boston, Massachusetts.
10. 1891-95-*BRADLEY G. SCHLEY.....Milwaukee, Wisconsin.
11. 1895-99-CHARLES CLAFLIN ALLEN....St. Louis, Missouri.
12. 1896-97-*WILLIAM WIET HOWE.....New Orleans, Louisiana.
13. 1897-1900-CHARLES NOBLE GREGORY...Madison, Wisconsin.
14. 1899-1900-EDMUND WETMORE.....New York, New York.
15. 1899-1901-*U. M. ROSE.....Little Rock, Arkansas.
16. 1899-1902-WILLIAM A. KETCHAM.....Indianapolis, Indiana.
17. 1899-1902-HENRY ST. GEORGE TUCKER..Lexington, Virginia.
18. 1900-1903-RODNEY A. MERCUR.....Towanda, Pennsylvania.
19. 1900-1903-*CHARLES F. LIBBY.....Portland, Maine.
20. 1901-1903-*JAMES HAGERMAN.....St. Louis, Missouri.
21. 1902-1905-P. W. MELDRIM.....Savannah, Georgia.
22. 1902-1905-PLATT ROGERS.....Denver, Colorado.
23. 1903-1906-M. F. DICKINSON.....Boston, Massachusetts.
24. 1903-1906-THEODORE S. GARNETT.....Norfolk, Virginia.
25. 1903-1906-WILLIAM P. BREEN.....Fort Wayne, Indiana.
26. 1905-1908-CHARLES MONROE.....Los Angeles, California.
27. 1905-1908-*RALPH W. BRECKENRIDGE..Omaha, Nebraska.
28. 1906-1909-*CHARLES F. LIBBY.....Portland, Maine.
29. 1906-1909-WALTER GEORGE SMITH....Philadelphia, Pennsylvania.
30. 1906-1909-ROME G. BROWN.....Minneapolis, Minnesota.
31. 1908-1911-WILLIAM O. HART.....New Orleans, Louisiana.
32. 1908-1911-CHARLES HENRY BUTLER...New York, New York.
33. 1909-1912-JOHN HINKLEY.....Baltimore, Maryland.
34. 1909-1912-*RALPH W. BRECKENRIDGE..Omaha, Nebraska.
35. 1909-1912-LYNN HELM.....Los Angeles, California.
36. 1911-1914-HOLLIS R. BAILEY.....Boston, Massachusetts.
37. 1911-1914-*ALDIS B. BROWNE.....Washington, D. C.
38. 1912-1915-WILLIAM H. BURGESS.....El Paso, Texas.
39. 1912-1915-JOHN H. VOORHEES.....Sioux Falls, South Dakota.
40. 1912-1915-WILLIAM H. STAAKE.....Philadelphia, Pennsylvania.
41. 1913-1914-*ALBERT W. BIGGS².....Memphis, Tennessee.
42. 1913- WILLIAM C. NIBLACK.....Chicago, Illinois.
43. 1914- SELDEN P. SPENCER.....St. Louis, Missouri.
44. 1914- WILLIAM P. BYNUM.....Greensboro, North Carolina.
45. 1914- CHAPIN BROWN.....Washington, D. C.
46. 1915- CHARLES N. POTTER.....Cheyenne, Wyoming.
47. 1915- JOHN LOWELL.....Boston, Massachusetts.
48. 1915- CHARLES BLOOD SMITH.....Topeka, Kansas.

* Deceased.

¹ In 1888, at the first meeting of the Executive Committee after the adjournment of the Association, Simeon E. Baldwin resigned, and Charles C. Bonney was chosen to fill the vacancy under By-Law X.

² In 1913, by virtue of amendment to Constitution, the number of elective members of Executive Committee was increased from five to seven.

LIST OF PLACES OF MEETING AND ATTENDANCE

Meeting.	Year.	Date.	Place.	Attendance.
1....	1878....	Aug. 21, 22.....	Saratoga Springs, N. Y.....	75
2....	1879....	Aug. 20, 21.....	Saratoga Springs, N. Y. (no record)	
3....	1880....	Aug. 18, 19, 20....	Saratoga Springs, N. Y.....	97
4....	1881....	Aug. 17, 18, 19....	Saratoga Springs, N. Y.....	124
5....	1882....	Aug. 8, 9, 10, 11....	Saratoga Springs, N. Y.....	107
6....	1883....	Aug. 22, 23, 24....	Saratoga Springs, N. Y.....	120
7....	1884....	Aug. 20, 21, 22....	Saratoga Springs, N. Y.....	108
8....	1885....	Aug. 19, 20, 21....	Saratoga Springs, N. Y.....	124
9....	1886....	Aug. 18, 19, 20....	Saratoga Springs, N. Y.....	137
10....	1887....	Aug. 17, 18, 19....	Saratoga Springs, N. Y.....	149
11....	1888....	Aug. 15, 16, 17....	Saratoga Springs, N. Y.....	121
12....	1889....	Aug. 28, 29, 30....	Chicago, Ill.	158
13....	1890....	Aug. 20, 21, 22....	Saratoga Springs, N. Y.....	132
14....	1891....	Aug. 26, 27, 28....	Boston, Mass.	202
15....	1892....	Aug. 24, 25, 26....	Saratoga Springs, N. Y.....	143
16....	1893....	Aug. 30, 31, Sept. 1.	Milwaukee, Wis.	130
17....	1894....	Aug. 22, 23, 24....	Saratoga Springs, N. Y.....	140
18....	1895....	Aug. 27, 28, 29, 30..	Detroit, Mich.	199
19....	1896....	Aug. 19, 20, 21....	Saratoga Springs, N. Y.....	276
20....	1897....	Aug. 25, 26, 27....	Cleveland, Ohio	184
21....	1898....	Aug. 17, 18, 19....	Saratoga Springs, N. Y.....	227
22....	1899....	Aug. 28, 29, 30....	Buffalo, N. Y.....	227
23....	1900....	Aug. 29, 30, 31....	Saratoga Springs, N. Y.....	230
24....	1901....	Aug. 21, 22, 23....	Denver, Colo.	306
25....	1902....	Aug. 27, 28, 29....	Saratoga Springs, N. Y.....	230
26....	1903....	Aug. 26, 27, 28....	Hot Springs, Va.....	250
27....	1904....	Sept. 26, 27, 28....	St. Louis, Mo.	451
28....	1905....	Aug. 23, 24, 25....	Narragansett Pier, R. I....	277
29....	1906....	Aug. 29, 30, 31....	St. Paul, Minn.....	369
30....	1907....	Aug. 26, 27, 28....	Portland, Maine	402
31....	1908....	Aug. 25, 26, 27, 28..	Seattle, Washington	312
32....	1909....	Aug. 24, 25, 26, 27..	Detroit, Michigan	389
33....	1910....	Aug. 30, 31, Sept. 1.	Chattanooga, Tennessee	324
34....	1911....	Aug. 29, 30, 31....	Boston, Mass.	625
35....	1912....	Aug. 27, 28, 29....	Milwaukee, Wis.	558
36....	1913....	Sept. 1, 2, 3.....	Montreal, Canada	1023
37....	1914....	Oct. 20, 21, 22....	Washington, D. C.....	1184
38....	1915....	Aug. 17, 18, 19....	Salt Lake City, Utah.....	531

CONSTITUTION

NAME AND OBJECT.

ARTICLE I.—This Association shall be known as "THE AMERICAN BAR ASSOCIATION." Its object shall be to advance the science of jurisprudence, promote the administration of justice and uniformity of legislation throughout the union, uphold the honor of the profession of the law and encourage cordial intercourse among the members of the American Bar.

QUALIFICATIONS FOR MEMBERSHIP.

ARTICLE II.—Any person shall be eligible to membership in this Association who shall be, and shall, for five years next preceding, have been a member in good standing of the Bar of any state, and who shall also be nominated as hereinafter provided.

OFFICERS AND COMMITTEES.

ARTICLE III.—The following officers shall be elected at each Annual Meeting for the year ensuing: A President (the same person shall not be elected President two years in succession); one Vice-President from each state; a Secretary; a Treasurer; a Council, consisting of one member from each state (the Council shall be a Standing Committee on Nominations for office); an Executive Committee, which shall consist of the President, the last ex-President, the Secretary and the Treasurer, all of whom shall be, *ex-officio*, members, together with seven¹ other members, to be chosen by the Association, but no member shall be eligible to such choice more than three years in succession; and the President, and in his absence the ex-President, shall be the Chairman of the committee.² There shall be one or more³ Assistant Secretaries, who shall be elected by the Executive Committee, and shall hold office at the pleasure of that committee.³

¹ Amended September 1, 1913.

² Amended August 19, 1898, and August 30, 1899.

³ Amended August 25, 1909.

The following committees shall be annually appointed by the President for the year ensuing, and shall consist of five members each:

On Jurisprudence and Law Reform;
 On Judicial Administration and Remedial Procedure;
 On Legal Education and Admissions to the Bar;
 On Commerce, Trade and Commercial Law;¹
 On International Law;
 On Publications;
 On Grievances;
 On Law Reporting and Digesting;²
 On Patent, Trade-Mark and Copyright Law;³
 On Insurance Law;⁴
 On Taxation;⁵
 On Professional Ethics;⁶
 On Noteworthy Changes in Statute Law;⁷ and a Committee
 On Uniform State Laws, to consist of one member from each state.⁸

A majority of those members of any committee, including the Council, who may be present at any meeting of the Association, shall constitute a quorum of such committee for the purpose of such meeting.

The Vice-President for each state, and not less than two nor more than four⁹ other members from such state, to be annually elected, shall constitute a Local Council for such state, to which shall be referred all applications for membership from such state. The Vice-President shall be, *ex-officio*, Chairman of such Council.

A committee of three, of whom the Secretary shall always be one, shall be appointed by the President at each Annual Meeting of the Association, whose duty it shall be to report to the next meeting the names of all members who shall, in the interval, have died.¹⁰

¹ Amended August 17, 1915.

² Amended August 31, 1906.

³ Amended August 29, 1895.

⁴ Amended September 1, 1913.

⁵ Amended August 30, 1899.

⁶ Amended August 28, 1903.

⁷ Amended September 28, 1904.

It shall be the duty of the Vice-President from each state and territory to report the deaths of members within the same to the said committee.

ELECTION OF MEMBERS.

ARTICLE IV.—All nominations for membership shall be made by the Local Council of the state to the Bar of which the persons nominated belong. Such nominations must be transmitted in writing to the Chairman of the General Council, and approved by the Council, on vote by ballot.

The General Council may also nominate members from states having no Local Council, and at the Annual Meeting of the Association, in the absence of all members of the Local Council of any state; *Provided*, That no nomination shall be considered by the General Council, unless accompanied by a statement in writing by at least three members of the Association from the same state with the person nominated, or, in their absence, by members from a neighboring state or states, to the effect that the person nominated has the qualifications required by the Constitution and desires to become a member of the Association, and recommending his admission as a member.

All nominations thus made or approved shall be reported by the Council to the Association, and all whose names are reported shall thereupon become members of the Association; *Provided*, That if any member demand a vote upon any name thus reported, the Association shall thereupon vote thereon by ballot.

Several nominees, if from the same state, may be voted for upon the same ballot; and in such case placing the word "No" against any name or names upon the ticket shall be deemed a negative vote against such name or names, and against those only. Five negative votes shall suffice to defeat an election.

During the period between the Annual Meetings, members may be elected by the Executive Committee upon the written nomination of a majority of the Vice-President and members of the Local Council of any state.

Persons of distinction not members of the Bar of any state of the United States may, without formal nomination or certification, be elected by the Executive Committee to be honorary members of the Association. Honorary members shall be entitled to

the privileges of the floor during meetings, but shall not be entitled to vote, and they shall pay no dues.¹

ARTICLE V.—All members of the Conference adopting the Constitution, and all persons elected by them upon the recommendation of the committee of five appointed by such Conference, shall become members of the Association upon payment of the annual dues for the current year herein provided for.

BY-LAWS.

ARTICLE VI.—By-laws may be adopted at any Annual Meeting of the Association by a majority of the members present. It shall be the duty of the Executive Committee, without delay, to adopt suitable By-laws, which shall be in force until rescinded by the Association.

DUES.

ARTICLE VII.—Each member shall pay six² dollars to the Treasurer as annual dues, and no person shall be qualified to exercise any privilege of membership who is in default. Such dues shall be payable, and the payment thereof enforced, as may be provided by the By-laws. The annual dues include cost of the **AMERICAN BAR ASSOCIATION JOURNAL**, which to members is \$1.50 per year. All other publications of the Association shall be free of charge to the members.³

PRESIDENT'S ADDRESS.

ARTICLE VIII.—The President shall open each Annual Meeting of the Association with an address upon such topic as he may select with the approval of the Executive Committee.¹

ANNUAL MEETINGS.

ARTICLE IX.—This Association shall meet annually, at such time and place as the Executive Committee may select, and those present at such meeting shall constitute a quorum.

¹ Amended September 1, 1913.

² Amended October 20, 1914.

³ Amended August 17, 1915.

AMENDMENTS.

ARTICLE X.—This Constitution may be altered or amended by a vote of three-fourths of the members present at any Annual Meeting, but no such change shall be made at any meeting at which less than thirty members are present.

CONSTRUCTION.

ARTICLE XI.—The word “state,” whenever used in this Constitution, shall be deemed to be equivalent to state, territory, the District of Columbia and the insular and other possessions of the United States,¹ and places over which the United States exercises extra-territorial jurisdiction.²

¹ Amended August 25, 1909.

² Amended August 17, 1915.

BY-LAWS

MEETING OF THE ASSOCIATION.

I.—The Executive Committee, at its first meeting after each Annual Meeting, shall select some person to make an address at the next Annual Meeting, and not exceeding six members of the Association to read papers.

II.—The order of exercises at the Annual Meeting shall be as follows:

- (a) Opening Address of the President.
- (b) Nominations and Election of Members.
- (c) Election of the General Council.
- (d) Reports of Secretary and Treasurer.
- (e) Report of Executive Committee.
- (f) Reports of Standing Committees—
 - On Jurisprudence and Law Reform;
 - On Judicial Administration and Remedial Procedure;
 - On Legal Education and Admissions to the Bar;
 - On Commerce, Trade and Commercial Law;¹
 - On International Law;
 - On Publications;
 - On Grievances;
 - On Law Reporting and Digesting;
 - On Patent, Trade-Mark and Copyright Law;²
 - On Insurance Law;³
 - On Taxation;⁴
 - On Professional Ethics;⁵
 - On Noteworthy Changes in Statute Law.⁶
 - On Uniform State Laws.⁷
- (g) Reports of Special Committees.
- (h) The Nomination of Officers.
- (i) Miscellaneous Business.
- (j) The Election of Officers.

¹ Amended August 17, 1915.

² Amended August 31, 1906.

³ Amended August 23, 1905.

⁴ Amended September 1, 1913.

The address, to be delivered by a person invited by the Executive Committee, shall be made at such session of the Annual Meeting as shall be designated by the Executive Committee.¹

The reading and delivering of essays and papers shall be on the same day, or at such other time as the Executive Committee may determine.

III.—No person shall speak more than ten minutes at a time or more than twice on one subject.

A stenographer shall be employed at each Annual Meeting.

All resolutions except those of a formal character shall be referred by the Chair on presentation, without debate, to an appropriate committee; and no resolution which is not favorably reported by the committee to which it is referred, or adopted by the Association, shall be published in the proceedings of the meetings.²

IV.—Each State Bar Association may annually appoint delegates, not exceeding three in number, to the next meeting of the Association. In states where no State Bar Association exists, any City or County Bar Association may appoint such delegates, not exceeding two in number. Such delegates shall be entitled to all the privileges of membership at and during the said meeting.

V.—At any of the meetings of the Association, members of the Bar of any foreign country or of any state who are not members of the Association may be admitted to the privileges of the floor during such meeting.

VI.—All papers read before the Association shall be lodged with the Secretary and become the property of the Association, and shall not be published without the consent of the Committee on Publications, unless by the express direction of the Executive Committee or the President of the Association,³ except as herein otherwise provided for.⁴ The Annual Address of the President, and such reports of committees, papers and proceedings at the Annual Meeting shall be printed, as the Committee on Publications shall order.⁵

¹ Amended August, 1910.

² Amended August 25, 1908.

³ Amended September 1, 1913.

⁴ Amended August 27, 1912.

Extra copies of reports, addresses and papers read before the Association may be printed by the Committee on Publications for the use of their authors, not exceeding two hundred copies for each of such authors.

The Secretary and the Chairman of the Executive Committee shall endeavor to arrange with the Smithsonian Institution, or otherwise, a system of exchanges by which the *Transactions* can be annually exchanged with those of other associations in foreign countries interested in jurisprudence or governmental affairs; and the Secretary shall exchange the *Transactions* with those of the State and Local Bar Associations; and all books thus acquired shall be bound and deposited in the charge of the New York City Bar Association, subject to the call of this Association, if it ever desires to withdraw or consult them, if the former Association agrees to such deposit.

The Secretary shall send one copy of the Report of the proceedings of this Association to the President of the United States, and to each of the Judges of the Supreme Court thereof, and to the Library of the State Department, and of the Department of Justice thereof, and to the Library of Congress, and the Library of the Supreme Court thereof, and to the Governor, and to the Chief Judge of the court of last resort of each state, and to the State Librarian thereof, and to all public law libraries, and other principal public and college libraries in the United States, and to such other persons or bodies as the Executive Committee may direct.

No resolution complimentary to an officer or member for any service performed, paper read or address delivered shall be considered by the Association.

OFFICERS AND COMMITTEES.

VII.—The terms of office of all officers elected at any Annual Meeting shall commence at the adjournment of such meeting, except the Council, whose term of office shall commence immediately upon their election.

VIII.—The President shall appoint all committees, except the Committee on Publications, within thirty days after the Annual Meeting, and shall announce them to the Secretary, and the Secretary shall promptly give notice to the persons appointed. The

Committee on Publications shall be appointed on the first day of each meeting.

There shall be appointed annually by the President a committee to be known as the Reception Committee, consisting of fifteen members of the Association, whose duty it shall be to attend immediately before and at the opening of the first day's session of the meeting to receive members and delegates and introduce them to each other, with a view of making them better acquainted and establishing a spirit of good fellowship among them.¹

The Committee on Professional Ethics shall communicate to the Association such information as it may collect respecting the activity of State and Local Bar Associations in respect to the ethics of the legal profession, and it may from time to time make recommendations on the subject to the Association.²

IX.—The Treasurer's Report shall be examined and audited annually, before its presentation to the Association, by two members to be appointed by the Chairman of the Executive Committee.

X.—The Council and all standing committees shall meet on the day preceding each Annual Meeting, at the place where the same is to be held, at such hour as their respective Chairmen shall appoint. If at any Annual Meeting of the Association any member of any committee shall be absent, the vacancy may be filled by the members of the committee present.

The Secretary of the Association shall be the Secretary of the Council.

XI.—The Committee on Publications shall also meet within one month after each Annual Meeting, at such time and place as the Chairman shall appoint.

XII.—Special meetings of any committee shall be held at such times and places as the Chairman thereof may appoint. Reasonable notice shall be given by him to each member by mail.

The traveling and other necessary expenses incurred by any committee, standing or special, for meetings of such committee, during the interval between the Annual Meetings of the Association, shall be paid by the Treasurer, on the approval and by

¹ Amended August 23, 1905.

² Amended September 1, 1913.

the order of the Executive Committee, out of such appropriation as to the Executive Committee may seem necessary in each case, on previous application in advance of its expenditure.

All committees may have their reports printed by the Secretary before the Annual Meeting of the Association; and any such report, containing any recommendation for action on the part of the Association, shall be printed, together with a draft of bill embodying the views of the committee, whenever legislation shall be proposed. Such report shall be distributed by mail by the Secretary to all the members of the Association at least fifteen days before the Annual Meeting at which such report is proposed to be submitted. No legislation shall be recommended or approved unless there has been a report of a committee, either in favor of or against the same, and unless such legislation be approved by a two-thirds vote of the members of the Association present.¹ Where the report of a committee has been printed it shall not be read before a meeting of the Association unless directed by a majority vote of those present at the meeting, but the Chairman of the committee shall state the purport and substance thereof to the meeting.²

It shall be the duty of each Vice-President and member of the General Council of this Association to endeavor to procure the enactment by the legislature of their state of each and every law recommended by the Association, and the Secretary shall furnish them with copies of each and every recommendation and draft of bill, when there shall be such draft; and whenever this Association shall by resolution recommend the enactment of any law or laws, the Secretary shall, as soon as possible, furnish a copy of the resolution to the President of each State Bar Association, with the request of this Association that such State Bar Association shall cooperate with the local Vice-President and member of the General Council of this Association in having a bill introduced in the legislature of its state containing the subject matter recommended by such resolution, and use proper means to procure the enactment of the same into law. In every state where there is no State Bar Association, a copy of such resolution with a similar request shall be sent to the President of the Bar Asso-

¹ Amended August 29, 1902, and August 31, 1906.

² Amended September 1, 1910.

ciation of the principal city in such state; and in every instance where the form of bill has been recommended with the resolution, a copy of such form of bill shall also be sent with the resolution.

ANNUAL DUES.

XIII.—The Annual Dues shall be payable at the Annual Meeting in advance. If any member neglects to pay his yearly dues on or before June 1 following the Annual Meeting, it shall be the duty of the Treasurer to serve upon him by mail a copy of this By-law and notice that unless the dues are paid within one month thereafter, the default will be reported to the Executive Committee, which may, without further notice, cause the name of such member to be stricken from the roll for non-payment of dues, and his membership and all rights in respect thereto will thereupon cease.¹

A member who has been dropped from the roll for non-payment of dues may be restored to membership by the Executive Committee upon the payment of such back dues as the committee shall think equitable.² *Provided*, such restoration shall be recommended by a member of the Local Council of his state, or in their absence, at an Annual Meeting, by any two members of the Association.

SECTION OF LEGAL EDUCATION.

XIV.—A Section of the Association, to be known as the Section of Legal Education,³ is hereby established, which shall meet annually in connection with the meeting of the Association, but not during such hours as the Association is in session.

Its object shall be the discussion of methods of legal education, and it may make recommendations to the Association, which shall be referred by the Association to the Committee on Legal Education.

The proceedings of the Section may be published from time to time, at the discretion of the Executive Committee, and on the recommendation of the Committee on Publications.

¹ Amended August 29, 1911.

² Amended September 28, 1904.

³ Amended August 30, 1893.

All members of the Association, who desire, may enroll themselves as members of the Section, and persons not eligible for membership in the Association, but who are engaged in teaching law, may be admitted to the privilege of the floor at any meeting of the Section, by vote of the Section.

The Section shall be organized by the appointment of a Chairman and Secretary at its first session; and a Chairman and Secretary shall thereafter be elected annually by the Section.

SECTION OF PATENT, TRADE-MARK AND COPYRIGHT LAW.

XV.—A Section of the Association, to be known as the Section of Patent, Trade-Mark and Copyright Law,¹ is hereby established, which shall meet annually in connection with the meeting of the Association, but not during such hours as the Association is in session.

Its object shall be to discuss the subject of the law and practice relating to patents, trade-marks and copyrights. It may report to the Association; and matters relating to patents, trade-marks and copyrights may be referred to it.

The Proceedings of the Section may be published from time to time, at the discretion of the Executive Committee, and on the recommendation of the Committee on Publications.

All members of the Association who desire may enroll themselves as members of the Section.

The Section shall be organized by the appointment of a Chairman and Secretary by the Section, and a Chairman and Secretary shall be thereafter annually elected by the Section for the year commencing upon the final adjournment of its meeting.

COMPARATIVE LAW BUREAU.

XVI.²—An auxiliary body of the Association, to be known as the Comparative Law Bureau, is hereby established, which shall meet annually in connection with the meeting of the Association, but not during such hours as the Association is in session.

2. Its objects shall be the presentation and discussion of methods whereby important laws of foreign nations affecting

¹ Amended August 30, 1899.

² Adopted August 28, 1907.

the science of jurisprudence may be brought to the attention of American lawyers and institutions of learning, and become available in the general study of private law.

3. The membership of the Bureau shall consist of the members of this Association who are in good standing and such other bodies corporate or unincorporated associations and individuals as the Bureau may admit.

4. No dues or assessments shall be chargeable to individual members of this Association, but all others shall be subject to such as may be prescribed by the Bureau.

5. The Bureau shall be organized by the selection of a Director, Secretary and Treasurer who shall be members of this Association in good standing, and five managers at its first session, who with four members of this Association to be appointed by the President, shall compose a Board of Managers of twelve, which shall be renewed annually and have entire management and control of the Bureau and its affairs until its successors shall have been duly qualified by acceptance, subject to the advance direction and advice of this Association. The Bureau shall have power to adopt regulations for conducting its affairs in accordance with the purpose of its creation, but not in conflict with the Constitution, By-laws or any action or direction of this Association.

6. The financial liability of this Association concerning said Bureau shall be limited to such appropriations as may be made for it from time to time and shall cease in all respects with payment to the Treasurer of the Bureau of the amounts so appropriated.

7. The Board of Managers shall present to this Association an annual report in detail as to work and finances up to the preceding June first, which report shall be printed and distributed among the members fifteen days before the Annual Meeting of this Association, unless this requirement be waived for any particular year by the Executive Committee.

JUDICIAL SECTION.

XVII.¹—A Section of the Association to be known as the Judicial Section is hereby established which shall meet annually

¹ Adopted September 3, 1913.

in connection with the Association, but not during such hours as the Association is in session.

This Section is established for conference, discussion and interchange of ideas as to the duties and responsibilities of the judiciary. It may make recommendations to the Association which may be referred to a suitable committee. Proceedings of the Section may be published from time to time at the discretion of the Executive Committee and on the recommendation of the Committee on Publications.

All federal and state judges of courts of final appeal in the United States, or who have served as members of such courts, who are members of the American Bar Association may enroll themselves as members of this Section. Any person who has been a member of this Section shall be entitled to membership herein as long as he remains a member of this Association.¹ If any court of final appeal is not represented by one or more of its members at any annual meeting of such Section, one representative appointed by any such court will be entitled to act as a member of such Section, with all the privileges of membership at such annual meeting.² Any judge of any court of record of general jurisdiction in attendance at any annual meeting may be entitled to act as a member with all the privileges of membership at such annual meeting by a two-thirds vote of the members present at such meeting.

This Section shall be organized by the appointment of a Chairman and Secretary at its first session held hereafter and a Chairman and Secretary shall thereafter be elected annually by the Section. It shall have power to appoint such committees and adopt such regulations as it may desire, but not in conflict with the Constitution, By-laws or any action or direction of this Association.

STANDING RULE.³

At all meetings and dinners of the American Bar Association, the American flag shall be displayed, and the Executive Committee shall see that this rule is carried out.

¹ Amended October 21, 1914.

² Adopted August 31, 1906.

OFFICERS

1915-1916.

PRESIDENT,

ELIHU ROOT, *New York, N. Y.*

SECRETARY,

GEORGE WHITELOCK, *Baltimore, Md.*

TREASURER,

FREDERICK E. WADHAMS, *37 Tweddle Building, Albany, N. Y.*

ASSISTANT SECRETARIES,

W. THOMAS KEMP, *1416 Munsey Building, Baltimore, Md.*

GAYLORD LEE CLARK, *1416 Munsey Building, Baltimore, Md.*

EXECUTIVE COMMITTEE,

EX-OFFICIO

THE PRESIDENT,

THE SECRETARY,

THE TREASURER,

PETER W. MELDRIM,

Savannah, Ga.

WILLIAM C. NIBLACK, *Chicago, Ill.*

SELDEN P. SPENCER, *St. Louis, Mo.*

WILLIAM P. BYNUM, *Greensboro, N. C.*

CHAPIN BROWN, *Washington, D. C.*

CHARLES N. POTTER, *Cheyenne, Wyo.*

JOHN LOWELL, *Boston, Mass.*

CHARLES BLOOD SMITH, *Topeka, Kans.*

SECTION OF LEGAL EDUCATION.

HENRY STOCKBRIDGE, *Baltimore, Md., Chairman.*

CHARLES M. HEPBURN, *Bloomington, Ind., Secretary.*

SECTION OF PATENT, TRADE-MARK AND COPYRIGHT LAW

ROBERT H. PARKINSON, *Chicago, Ill., Chairman.*

ERNEST W. BRADFORD, *Washington, D. C., Secretary.*

JUDICIAL SECTION.

ORBIN N. CARTER, *Chicago, Ill., Chairman.*

GAYLORD LEE CLARK, *Baltimore, Md., Secretary.*

COMPARATIVE LAW BUREAU.

SIMEON E. BALDWIN, *New Haven, Conn., Director.*

ROBERT P. SHICK, *Philadelphia, Pa., Secretary.*

AXEL TEISEN, *Philadelphia, Pa., Assistant Secretary.*

EUGENE C. MASSIE, *Richmond, Va., Treasurer.*

ASSOCIATION OF AMERICAN LAW SCHOOLS.

H. S. RICHARDS, *Madison, Wis., President.*

WALTER W. COOK, *Chicago, Ill., Secretary-Treasurer.*

CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS.

WILLIAM H. STAAKE, *Philadelphia, Pa., President.*

NATHAN WILLIAM MACCHESNEY, *Chicago, Ill., Vice-President.*

GEORGE B. YOUNG, *Newport, Vt., Secretary.*

THOMAS A. JENCKES, *Providence, R. I., Treasurer.*

AMERICAN INSTITUTE OF CRIMINAL LAW AND CRIMINOLOGY.

ROBERT RALSTON, *Philadelphia, Pa., President.*

EDWIN M. ABBOTT, *Philadelphia, Pa., Secretary.*

GENERAL COUNCIL

State.	Name.	Residence.
ALABAMA	OSCAR R. HUNDLEY.....	Birmingham.
ALASKA TERRITORY.....	ROYAL A. GUNNISON.....	Juneau.
ARIZONA	JOHN J. HAWKINS.....	Prescott.
ARKANSAS	JACOB TRIEBER	Little Rock.
CALIFORNIA	LYNN HELM	Los Angeles.
COLORADO	PLATT ROGERS	Denver.
CONNECTICUT	WILLIAM A. WRIGHT....	New Haven.
DELAWARE	DAVID T. MARVEL.....	Wilmington.
DISTRICT OF COLUMBIA..	FREDEBICK A. FENNING..	Washington.
FLORIDA	WILLIAM A. BLOUNT....	Pensacola.
GEORGIA	T. A. HAMMOND.....	Atlanta.
HAWAII TERRITORY	DAVID L. WITHINGTON..	Honolulu.
IDAHO	FREMONT WOOD	Boise.
ILLINOIS	GEORGE T. PAGE.....	Peoria.
INDIANA	WILLIAM A. KETCHAM..	Indianapolis.
IOWA	CHARLES A. DUDLEY....	Des Moines.
KANSAS	D. W. MULVANE.....	Topeka.
KENTUCKY	MAURICE KIRBY GORDON.	Madisonville.
LOUISIANA	ERNEST T. FLORANCE...	New Orleans.
MAINE	FRED V. MATTHEWS....	Portland.
MARYLAND	JOHN HINKLEY	Baltimore.
MASSACHUSETTS	HOLLIS R. BAILEY.....	Cambridge.
MICHIGAN	JOHN B. CORLISS.....	Detroit.
MINNESOTA	ALFRED H. BRIGHT....	Minneapolis.
MISSISSIPPI	B. E. EATON.....	Gulfport.
MISSOURI	THOMAS H. REYNOLDS..	Kansas City.
MONTANA	WILLIAM M. JOHNSTON..	Billings.
NEBRASKA	MATTHEW A. HALL.....	Omaha.
NEVADA	HUGH H. BROWN.....	Tonopah.
NEW HAMPSHIRE	SAMUEL C. EASTMAN...	Concord.
NEW JERSEY	JOHN S. McMASTER....	Jersey City.
NEW MEXICO	WILLIAM C. REID.....	Roswell.
NEW YORK	CHAS. THADDEUS TEBBY.	New York.
NORTH CAROLINA	CLEMENT MANLY	Winston-Salem.
NORTH DAKOTA	ANDREW A. BRUCE.....	Bismarck.
OHIO	PAUL HOWLAND	Cleveland.
OKLAHOMA	ROBERT F. BLAIR.....	Wagoner.
OREGON	JOSEPH N. TEAL.....	Portland.
PENNSYLVANIA	HAMPTON L. CARSON....	Philadelphia.

PHILIPPINES AND CHINA	CHARLES S. LOBINGIER	Shanghai.
Puerto Rico	EMILIO DEL TOSO	San Juan.
RHODE ISLAND	DARIUS BAKER	Newport.
SOUTH CAROLINA	P. ALSTON WILCOX	Florence.
SOUTH DAKOTA	U. S. G. CHERRY	Sioux Falls.
TENNESSEE	PERCY D. MARDEN	Nashville.
TEXAS	ROBERT E. LEE SANER	Dallas.
UTAH	CHARLES S. VAMIAN	Salt Lake City.
VERMONT	GEORGE B. YOUNG	Newport.
VIRGINIA	THOMAS WALL SHELTON	Norfolk.
WASHINGTON	CHARLES E. SHEPARD	Seattle.
WEST VIRGINIA	WILLIAM N. MILLER	Parkersburg.
WISCONSIN	JOHN B. SANBORN	Madison.
WYOMING	CONSTANTINE P. ARNOLD	Laramie.

VICE-PRESIDENTS

AND

MEMBERS OF LOCAL COUNCILS

ELECTED 1915

ALABAMA.

Vice-President, Z. T. RUDULPH..... Birmingham.
Local Council, T. C. McCLELLAN..... Montgomery.
HENRY UPSON SIMS..... Birmingham.
P. H. STERN..... Montgomery.
T. M. STEVENS..... Mobile.

ALASKA.

Vice-President, FREDERICK M. BROWN..... Valdez.
Local Council, JOHN H. COBB..... Juneau.
RALPH E. ROBERTSON..... Juneau.

ARIZONA.

Vice-President, E. E. ELLINWOOD..... Bisbee.
Local Council, CARL KROOK..... Kingman.
EDWARD KENT..... Phoenix.
J. MASON ROSS..... Bisbee.
R. E. MORRISON..... Prescott.

ARKANSAS.

Vice-President, W. H. ARNOLD..... Texarkana.
Local Council, CHARLES T. COLEMAN..... Little Rock.
JAMES D. HEAD..... Texarkana.
GEORGE B. ROSE..... Little Rock.
JOSEPH M. STAYTON..... Newport.

CALIFORNIA.

Vice-President, ISIDORE B. DOCKWEILER.... Los Angeles.
Local Council, A. E. BOLTON..... San Francisco.
JOHN W. KEMP..... Los Angeles.
MIGUEL ESTUDILLO..... Riverside.
PAUL BURKS..... Los Angeles.

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Vice-President, A. M. STEVENSON..... Denver.
Local Council, GEORGE C. MANLY..... Denver.
ROBERT S. GAST..... Pueblo.
FRANK J. ANNIS..... Fort Collins.
ERNEST MORRIS..... Denver.

CONNECTICUT.

Vice-President, GEORGE D. WATROUS..... New Haven.
 Local Council, SEYMOUR C. LOOMIS..... New Haven.
 L. W. CLEAVELAND..... New Haven.
 EDWARD A. HARRIMAN..... New Haven.
 FRANK F. RUSSELL..... Putnam.

DELAWARE.

Vice-President, EDWARD G. BRADFORD..... Wilmington.
 Local Council, JOHN P. NIELDS..... Wilmington.
 HENRY RIDGELY..... Dover.

DISTRICT OF COLUMBIA.

Vice-President, HENRY E. DAVIS..... Washington.
 Local Council, HUSTON THOMPSON..... Washington.
 E. W. BRADFORD..... Washington.
 CHAPIN BROWN..... Washington.
 A. E. L. LECKIE..... Washington.

FLORIDA.

Vice-President, ROBERT E. DAVIS..... Gainesville.
 Local Council, WILLIAM HUNTER..... Tampa.
 WILLIAM W. DEWHURST..... St. Augustine.
 WILLIAM WADE HAMPTON... Gainesville.
 EDWARD M. SEMPLE..... Key West.

GEORGIA.

Vice-President, JOHN L. TYE..... Atlanta.
 Local Council, JOS. HANSELL MERRILL..... Thomasville.
 WILLIAM H. BARRETT..... Augusta.
 SAMUEL S. BENNETT..... Albany.
 I. J. HOFMAYER..... Albany.

HAWAII TERRITORY.

Vice-President, WILLIAM R. CASTLE..... Honolulu.
 Local Council, WILLIAM O. SMITH..... Honolulu.
 LYLE A. DICKEY..... Lihue.
 A. G. M. ROBERTSON..... Honolulu.
 ROBBINS B. ANDERSON..... Honolulu.

IDAHO.

Vice-President, KARL PAINE..... Boise.
 Local Council, ARTHUR M. BOWEN..... Twin Falls.
 ALFRED BUDGE..... Boise.
 GEORGE D. AYERS..... Moscow.
 D. C. McDOUGALL..... Pocatello.

ILLINOIS.

Vice-President, JOHN T. RICHARDS..... Chicago.
Local Council, EDWARD C. KRAMER..... East St. Louis.
EDGAR A. BANCROFT..... Chicago.
NATHAN WM. MACCHESNEY.. Chicago.
HENRY R. RATHBONE..... Chicago.

INDIANA.

Vice-President, CHARLES S. BAKER..... Columbus.
Local Council, GEORGE D. FORKNER..... New Castle.
QUINCY A. MYERS..... Indianapolis.
GEORGE H. BATCHELOR..... Indianapolis.
CHARLES M. HEPBURN..... Bloomington.

IOWA.

Vice-President, ISAAC N. FLICKINGER..... Council Bluffs.
Local Council, EMMET TINLEY Council Bluffs.
WILLIAM H. NORRIS..... Manchester.
H. C. HORACK..... Iowa City.
THOMAS J. BRAY..... Grinnell.

KANSAS.

Vice-President, CHESTER I. LONG..... Wichita.
Local Council, A. J. CURRAN..... Pittsburg.
E. J. TAGGART..... Wellington.
C. A. MAGAW..... Topeka.
WILLIAM OSMOND..... Great Bend.

KENTUCKY.

Vice-President, WILLIAM W. CRAWFORD..... Louisville.
Local Council, CHARLES C. GRASSHAM..... Paducah.
JAMES M. YEAMAN..... Henderson.
ARTHUR M. RUTLEDGE..... Louisville.
ANDREW E. AUXIER..... Pikeville.

LOUISIANA.

Vice-President, I. D. WALL..... Baton Rouge.
Local Council, J. R. THORNTON..... Alexandria.
W. J. CARMOUCHE..... Crowley.
E. T. WEEKS..... New Iberia.
W. O. HART..... New Orleans.

MAINE.

Vice-President, WILLIAM M. INGRAHAM..... Portland.
Local Council, JOHN A. MORRILL..... Auburn.
NORMAN L. BASSETT..... Augusta.
JAMES O. BRADBURY..... Saco.
FRED V. MATTHEWS..... Portland.

MARYLAND.

Vice-President, JOHN P. BRISCOE..... Prince Frederick.
 Local Council, ALFRED S. NILES..... Baltimore.
 STEVENSON A. WILLIAMS... Bel Air.
 BENJAMIN A. RICHMOND..... Cumberland.
 JOSEPH C. FRANCE..... Baltimore.

MASSACHUSETTS.

Vice-President, ALFRED HEMENWAY..... Boston.
 Local Council, JOHN E. HANNIGAN..... Boston.
 RICHARD W. HALE..... Boston.
 JOHN W. MASON..... Northampton.
 JOSEPH F. O'CONNELL..... Boston.

MICHIGAN.

Vice-President, C. P. BLACK..... Lansing.
 Local Council, DAN H. BALL..... Marquette.
 WILLIAM L. JANUARY..... Detroit.
 GEORGE W. BATES..... Detroit.
 GEORGE CLAPPERTON Grand Rapids.

MINNESOTA.

Vice-President, CHARLES R. FOWLER..... Minneapolis.
 Local Council, JOHN MOONAN..... Waseca.
 STILES W. BURR..... St. Paul.
 LYNDON A. SMITH..... Montevideo.
 OSCAR MITCHELL..... Duluth.

MISSISSIPPI.

Vice-President, A. W. SHANDS..... Cleveland.
 Local Council, A. T. STOVALL..... Okolona.
 J. S. SEXTON..... Hazlehurst.
 DAVID W. HOUSTON..... Aberdeen.
 J. M. ALLEN..... Tupelo.

MISSOURI.

Vice-President, W. O. THOMAS..... Kansas City.
 Local Council, E. A. BARBOUR..... Springfield.
 ELMER N. POWELL..... Kansas City.
 EUGENE McQUILLIN..... St. Louis.
 VITAL W. GARESCHE..... St. Louis.

MONTANA.

Vice-President, JAMES A. WALSH..... Helena.
 Local Council, WILLIAM SCALLON..... Helena.
 WILLIAM T. PIGOTT..... Helena.
 HARRY H. PARSONS..... Missoula.
 THOMAS J. MATHEWS..... Roundup.

NEBRASKA.

Vice-President, THOMAS W. BLACKBURN..... Omaha.
 Local Council, HENRY H. WILSON..... Lincoln.
 CHARLES G. RYAN..... Grand Island.
 ERNEST B. PERRY..... Cambridge.
 BENJAMIN W. SCANDRETT... Omaha.

NEVADA.

Vice-President, ROBERT G. WITHERS..... Reno.
 Local Council, GEORGE F. TALBOT..... Carson City.
 CHARLES S. CHANDLER..... Ely.
 J. A. SANDERS..... Tonopah.
 PRINCE A. HAWKINS..... Reno.

NEW HAMPSHIRE.

Vice-President, REUBEN E. WALKER..... Concord.
 Local Council, FRANK S. STREETER..... Concord.
 STEPHEN S. JEWETT..... Laconia.
 JAMES W. REMICK..... Concord.
 FRANK N. PARSONS..... Franklin.

NEW JERSEY.

Vice-President, RICHARD WAYNE PARKER... Newark.
 Local Council, JOHN R. HARDIN..... Newark.
 EDWARD Q. KEASBEY..... Newark.
 MICHAEL DUNN..... Paterson.
 HOWARD CARROW..... Camden.

NEW MEXICO.

Vice-President, THOMAS B. CATRON..... Santa Fé.
 Local Council, WILLIAM H. POPE..... Santa Fé.
 A. B. M. McMILLEN..... Albuquerque.
 HUGO SEABERG..... Raton.
 CLARENCE J. ROBERTS..... Santa Fé.

NEW YORK.

Vice-President, SAMUEL P. GOLDMAN..... New York.
 Local Council, P. C. J. DeANGELIS..... Utica.
 GEORGE GORDON BATTLE... New York.
 MILAN DAY BARNES..... New York.
 DORR VIELE..... New York.

NORTH CAROLINA.

Vice-President, GEORGE S. BRADSHAW..... Greensboro.
 Local Council, J. CRAWFORD BIGGS..... Raleigh.
 THOMAS W. DAVIS..... Wilmington.
 JULIUS C. MARTIN..... Asheville.
 EDWIN F. AYDLETT..... Elizabeth City.

NORTH DAKOTA.

Vice-President, H. A. BRONSON.....Grand Forks.
 Local Council, M. A. HILDRETH.....Fargo.
 S. E. ELLSWORTH.....Jamestown.
 A. G. DIVET.....Wahpeton.
 A. M. CHRISTIANSON.....Bismarck.

OHIO.

Vice-President, GEORGE R. YOUNG.....Dayton.
 Local Council, M. J. HARTLEY.....Xenia.
 ALFRED DEWEY FOLLETT...Marietta.
 DAYTON A. DOYLE.....Akron.
 EDWARD KIBLER.....Newark.

OKLAHOMA.

Vice-President, R. A. KLEINSCHMIDT.....Oklahoma City.
 Local Council, SAMUEL W. HAYES.....Oklahoma City.
 FARRAR L. MCCAIN.....Muskogee.
 J. F. SHARP.....Oklahoma City.
 F. E. RIDDLE.....Chickasha.

OREGON.

Vice-President, RICHARD W. MONTAGUE....Portland.
 Local Council, OSCAR HAYTERDallas.
 JOHN H. McNARY.....Salem.
 WIRT MINORPortland.

PENNSYLVANIA.

Vice-President, GEORGE B. GORDON.....Pittsburgh.
 Local Council, JOHN BARRY COLAHAN, Jr...Philadelphia.
 EDWIN M. ABBOTT.....Philadelphia.
 EDWIN W. SMITH.....Pittsburgh.
 WILLIAM I. SCHAFER.....Chester.

PHILIPPINE ISLANDS AND CHINA.

Vice-President, EDWARD B. BRUCE.....Manila.
 Local Council, NEWTON W. GILBERT.....Manila.
 ERNEST B. CONANT.....Manila.
 THOMAS CARY WELCH.....Manila.
 CHARLES W. RANKIN.....Shanghai, China.

PORTO RICO.

Vice-President, MANUEL RODRIGUEZ-SERRA..San Juan.
 Local Council, JOSE HERNANDEZ USERA...San Juan.
 EMILIO DEL TORO.....San Juan.

RHODE ISLAND.

Vice-President, DEXTER B. POTTER..... Providence.
 Local Council, ALBERT A. BAKER..... Providence.
 THOMAS A. JENCKES..... Providence.
 CHARLES C. MUMFORD..... Providence.
 CLIFFORD WHIPPLE..... Providence.

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 Allread, James I., Columbus, Ohio.
 Alschuler, Leon S., Chicago, Ill.
 Alston, A. H., Clayton, Ala.
 Alvord, George W., Painesville, Ohio.
 Ambler, B. Mason, Parkersburg, W. Va.
 Ambler, James M., Baltimore, Md.
 Ambrose, Wm. Earl, Washington, D. C.
 Ames, Charles B., Oklahoma City, Okla.
 Amey, Harry B., Island Pond, Vt.
 Amidon, Charles F., Fargo, N. D.
 Ammon, Samuel A., Pittsburgh, Pa.
 Amram, David Werner, Philadelphia, Pa.
 Amaden, Wm. M., Marion, Ind.
 Anable, Courtland V., New York, N. Y.
 Anderson, Clifford S., Worcester, Mass.
 Anderson, Elbridge R., Boston, Mass.
 Anderson, Frank R., Laramie, Wyo.
 Anderson, George D., Beaumont, Texas.
 Anderson, George W., Boston, Mass.
 Anderson, Gustav, Baker, Ore.
 Anderson, Henry W., Richmond, Va.
 Anderson, J. A., Los Angeles, Cal.
 Anderson, J. M., Nashville, Tenn.
 Anderson, John C., Montgomery, Ala.
 Anderson, Le Roy, Prescott, Ariz.
 Anderson, Luther C., Welch, W. Va.
 Anderson, O. C., West Point, Nebr.
 Anderson, Ray N., Pittsfield, Ill.
 Anderson, Robbins B., Honolulu, Hawaii.
 Anderson, Robert L., Ocala, Fla.
 Anderson, Roland Max, Beloit, Kans.
 Anderson, Thos. H., Washington, D. C.
 Anderson, Thornwell G., Middlesboro, Ky.
 Anderson, V. E., Wheaton, Minn.
 Anderson, Wallace H., Iola, Kans.
 Anderson, William Y. C., Philadelphia, Pa.
 Anderton, Stephen P., New York, N. Y.
 Andrade, Cipriano, Jr., New York, N. Y.
 Andress, Frank S., Birmingham, Ala.
 Andrew, Henry O., Boulder, Colo.
 Andrews, Alex. Boyd, Jr., Raleigh, N. C.
 Andrews, Allen, Hamilton, Ohio.
 Andrews, Champe S., New York, N. Y.
 Andrews, E. D., St. Louis, Mo.
 Andrews, Frank, Houston, Texas.
 Andrews, Garnett S., Nashville, Tenn.
 Andrews, James D., New York, N. Y.
 Andrews, James P., Hartford, Conn.
 Andrews, Sidney F., St. Louis, Mo.
 Andrews, William S., Syracuse, N. Y.
 Angell, Walter F., Providence, R. I.
 Angert, Eugene H., St. Louis, Mo.
 Annis, Frank J., Fort Collins, Col.
 Ansel, M. F., Greenville, S. C.
 Ansell, Samuel T., Washington, D. C.
 Anthony, Robert A., Fredericktown, Mo.
 Anthony, Roy Foster, Newark, N. J.
 Antislade, John P., Detroit, Mich.
 Antonsanti, Frank, San Juan, P. R.
 Aplington, Henry, New York, N. Y.
 ApMadoc, W. Tudor, Chicago, Ill.
 Appel, William Nevin, Lancaster, Pa.
 Appell, Albert J., New York, N. Y.
 Appell, Albert J. W., Chicago, Ill.
 Apperson, Lewis, Mt. Sterling, Ky.
 Applegate, John S., Red Bank, N. J.
 Applegate, John S., Jr., Red Bank, N. J.
 Appleton, Frederick H., Bangor, Me.
 Appleton, John H., Boston, Mass.
 Archer, James B., Washington, D. C.
 Archer, James J., Bel Air, Md.
 Archer, Vachel B., Parkersburg, W. Va.
 Archer, W. E., Hiawatha, Kans.
 Armbrecht, W. H., Mobile, Ala.
 Armistead, Henry M., Little Rock, Ark.

Armstrong, David W., New York, N. Y.
 Armstrong, Edward Ambler, Princeton, N. J.
 Armstrong, Fred, Jr., St. Louis, Mo.
 Armstrong, James D., St. Paul, Minn.
 Armstrong, James P., East Randolph, N. Y.
 Armstrong, James R., Oklahoma City, Okla.
 Armstrong, Walter P., Memphis, Tenn.
 Armstrong, Wm. T. (Boston, Mass.), Galveston, Texas.
 Arnold, Arthur S., Philadelphia, Pa.
 Arnold, Constantine P., Laramie, Wyo.
 Arnold, Earl C., Moscow, Idaho.
 Arnold, Edmund K., Boston, Mass.
 Arnold, Harry B., Columbus, Ohio.
 Arnold, John B., Duluth, Minn.
 Arnold, John R., Evanston, Wyo.
 Arnold, Joseph A., New York, N. Y.
 Arnold, Lynn J., Albany, N. Y.
 Arnold, Mercer, Joplin, Mo.
 Arnold, Reuben R., Atlanta, Ga.
 Arnold, William H., Texarkana, Ark.
 Arnstein, Emanuel, New York, N. Y.
 Arrel, George F., Youngstown, Ohio.
 Arroyo, Julian A., New York, N. Y.
 Arter, Charles K., Cleveland, Ohio.
 Arthur, Jesse, Battle Creek, Mich.
 Ash, David, Baltimore, Md.
 Ashby, Samuel, Indianapolis, Ind.
 Ashcraft, Raymond, Chicago, Ill.
 Asher, Harry W., New Haven, Conn.
 Ashley, Arthur Henry, Stockton, Cal.
 Ashley, Clarence D., New York, N. Y.
 Ashley, Henry D., Kansas City, Mo.
 Ashton, Chester H., Knoxville, Pa.
 Ashton, Elias Conway, Salt Lake City, Utah.
 Ashton, James M., Tacoma, Wash.
 Ashton, Samuel W., Fall River, Mass.
 Askew, William H., Magnolia, Ark.
 Athearn, Fred G., San Francisco, Cal.
 Atherton, Percy A., Boston, Mass.
 Atkinson, Harry H., Tonopah, Nev.
 Atkinson, Spencer R., Atlanta, Ga.
 Attkisson, Eugene R., Louisville, Ky.
 Atwell, William H., Dallas, Texas.
 Atwood, John H., Kansas City, Mo.
 Atwood, Joseph T., Boulder, Colo.
 Aubrey, Alfred B., Meriden, Conn.
 Aubrey, George W., Allentown, Pa.
 Auerbach, Joseph S., New York, N. Y.
 Auerman, Benjamin M., Evanston, Wyo.
 Austin, Chauncey G., St. Albans, Vt.
 Austin, W. C., Eldorado, Okla.
 Austin, Warren R., St. Albans, Vt.
 Austrian, Alfred S., Chicago, Ill.

Autry, James L., Houston, Tex.
 Auxier, Andrew E., Pikeville, Ky.
 Averill, Mark B., Tonopah, Nev.
 Avery, A. G., Spokane, Wash.
 Avery, Brainard, New York, N. Y.
 Avery, C. L., New London, Conn.
 Avery, Coleman, Cincinnati, Ohio.
 Avery, John C., Pensacola, Fla.
 Avery, Nathan P., Holyoke, Mass.
 Avia, S. B., Charleston, W. Va.
 Axtell, Ezra P., Jacksonville, Fla.
 Ayars, Lee C., Houston, Tex.
 Aycock, W. T., Columbia, S. C.
 Aydtlett, E. F., Elizabeth City, N. C.
 Ayers, George D., Moscow, Idaho.
 Ayers, Walter, Brookline, Mass.
 Aylmer, Adolph W., Jamestown, N. Dak.
 Aylward, James F., Boston, Mass.
 Aylward, John A., Madison, Wis.
 Ayres, Charles H., New York, N. Y.
 Ayres, William, Pineville, Ky.
 Babb, Henry B., Denver, Col.
 Babb, James E., Lewiston, Ida.
 Babb, Max Wellington, Milwaukee, Wis.
 Babbage, Richard Gordon, New York, N. Y.
 Rabbitt, Byron F., St. Louis, Mo.
 Rabbitt, Kurnel R., New York, N. Y.
 Babcock, Augustus, Binghamton, N. Y.
 Babcock, W. A., Twin Falls, Idaho.
 Babst, Earl D., New York, N. Y.
 Bachman, E. K., Bristol, Tenn.
 Bachman, Nathan L., Chattanooga, Tenn.
 Back, R. H., Vancouver, Wash.
 Bacon, James F., Boston, Mass.
 Bacon, Leon Brooks, Cleveland, Ohio.
 Bacon, Levi Seward, Washington, D. C.
 Bacon, Selden, New York, N. Y.
 Bacon, Walter H., Bridgeton, N. J.
 Bacot, John Vacher, Utica, N. Y.
 Badger, Carl A., Salt Lake City, Utah.
 Badger, Walter I., Boston, Mass.
 Badt, Milton B., Elko, Nev.
 Baecher, John A., Norfolk, Va.
 Baensch, Emil, Manitowoc, Wis.
 Baer, Henry, Cincinnati, Ohio.
 Baetjer, Edwin G., Baltimore, Md.
 Baetjer, Harry N., Baltimore, Md.
 Bagby, C. C., Danville, Ky.
 Bagby, George P., Baltimore, Md.
 Baggott, Vallandigham B., New York, N. Y.
 Bagley, E. M., Jr., Salt Lake City, Utah.
 Bagley, Grant C., Provo, Utah.
 Bagley, William R., Madison, Wis.
 Ballen, Samuel Lawrence, Boston, Mass.
 Bailey, Charles L., Jr., Harrisburg, Pa.
 Bailey, Charles O., Sioux Falls, S. D.
 Bailey, Edward S., Washington, D. C.

- Bailey, Guy W., Essex Junction, Vt.
 Bailey, Hollis R., Boston, Mass.
 Bailey, Joseph W. (Washington, D. C.),
 Gainesville, Texas.
 Bailey, Lorenzo Alton, Washington, D. C.
 Bailey, Marsh W., Washington, Iowa.
 Bailey, Morton S., Denver, Col.
 Bailey, Oliver G., Cincinnati, Ohio.
 Bailey, Stephen A., Salt Lake City, Utah.
 Bailey, Thomas F., Huntingdon, Pa.
 Bailey, William D., Duluth, Minn.
 Bailie, A. D., Storm Lake, Iowa.
 Baker, Albert A., Providence, R. I.
 Baker, Benjamin S., Omaha, Nebr.
 Baker, Charles G., Lancaster, Pa.
 Baker, Charles S., Columbus, Ind.
 Baker, Daniel W., Washington, D. C.
 Baker, Darius, Newport, R. I.
 Baker, George O., Morgantown, W. Va.
 Baker, Gibbs L., Washington, D. C.
 Baker, H. T., Milford, Pa.
 Baker, Harvey H., Boston, Mass.
 Baker, J. Arthur, Pittsfield, Mass.
 Baker, J. Henry, Baltimore, Md.
 Baker, J. Thompson, Wildwood, N. J.
 Baker, James A., Houston, Tex.
 Baker, James B., Bird Island, Minn.
 Baker, Jay Newton, Washington, D. C.
 Baker, John M., Spencer, W. Va.
 Baker, Joseph J., New York, N. Y.
 Baker, Lewis M. G., Knoxville, Tenn.
 Baker, Louis L., Tooele City, Utah.
 Baker, Merrit N., Buffalo, N. Y.
 Baker, Newton D., Cleveland, Ohio.
 Baker, Norman L., Milwaukee, Wis.
 Baker, R. M., Huntington, W. Va.
 Baker, Rhodes S., Dallas, Texas.
 Baker, Richard H., Norfolk, Va.
 Baker, Robert A., Jacksonville, Fla.
 Baker, William H., Jacksonville, Fla.
 Bakewell, Paul, St. Louis, Mo.
 Balderston, Walter C., Washington, D. C.
 Baldrige, H. H., Omaha, Nebr.
 Baldrige, Thomas J., Hollidaysburg, Pa.
 Baldwin, Albert, Duluth, Minn.
 Baldwin, Alfred O., Derby, Conn.
 Baldwin, Charles, Salt Lake City, Utah.
 Baldwin, Charles G., Baltimore, Md.
 Baldwin, Clark E., Adrian, Mich.
 Baldwin, Henry R., Chicago, Ill.
 Baldwin, Jesse A., Chicago, Ill.
 Baldwin, Roger S., New York, N. Y.
 Baldwin, Simeon E., New Haven, Conn.
 Baldwin, Stephen C., Brooklyn, N. Y.
 Baldwin, W. W., Burlington, Iowa.
 Ball, Dan H., Marquette, Mich.
 Ball, Eugene E., Kansas City, Mo.
 Ball, Farlin H., Chicago, Ill.
 Ball, Fred. S., Montgomery, Ala.
 Ball, Geo. W., Jr., Iowa City, Iowa.
 Ball, J. Frank, Wilmington, Del.
 Ball, LeRoy D., New York, N. Y.
 Ball, R. E., Kansas City, Mo.
 Ballantine, Arthur A., Boston, Mass.
 Ballard, Eugene, Prattville, Ala.
 Ballhorn, George E., Milwaukee, Wis.
 Balliet, Andrew J., Seattle, Wash.
 Ballinger, Harry, Seattle, Wash.
 Ballinger, Richard A., Seattle, Wash.
 Ballou, Daniel R., Providence, R. I.
 Ballreich, Charles A., Pueblo, Colo.
 Balluff, Walter M., Davenport, Iowa.
 Bamberger, Ira Leo, New York, N. Y.
 Bamberger, Ralph, Indianapolis, Ind.
 Bamerick, William H., Syracuse, N. Y.
 Bancroft, Edgar A., Chicago, Ill.
 Bancroft, L. H., Richland Center, Wis.
 Bangs, Francis S., New York, N. Y.
 Bangs, Frederick A., Chicago, Ill.
 Bangs, George A., Grand Forks, N. D.
 Bangs, Tracy R., Grand Forks, N. D.
 Banister, E. W., St. Louis, Mo.
 Banks, J. N., Indiana, Pa.
 Banks, John W., Bridgeport, Conn.
 Bannister, L. Ward, Denver, Colo.
 Bannon, Arthur H., Portsmouth, Ohio.
 Bannon, Henry, Portsmouth, Ohio.
 Bannon, James W., Portsmouth, Ohio.
 Banton, Jacob H., New York, N. Y.
 Barasa, Bernard P., Chicago, Ill.
 Barber, Arthur William, New York, N. Y.
 Barber, Charles, Oshkosh, Wis.
 Barber, Orion M., Washington, D. C.
 Barbour, Edward A., Springfield, Mo.
 Barbour, James J., Chicago, Ill.
 Barbour, John S., Fairfax, Va.
 Barclay, Henry Augustus, Los Angeles,
 Cal.
 Barclay, Shepard, St. Louis, Mo.
 Barker, B. Devereux, Boston, Mass.
 Barker, Burt Brown, Chicago, Ill.
 Barker, Harry C., St. Louis, Mo.
 Barker, John T., Jefferson City, Mo.
 Barker, Wendell P., New York, N. Y.
 Barley, Louis C., Alexandria, Va.
 Barlow, Burt E., Coldwater, Mich.
 Barlow, Thomas W., Philadelphia, Pa.
 Barnard, Job, Washington, D. C.
 Barnard, Ralph P., Washington, D. C.
 Barner, George S., Webster City, Iowa.
 Barnes, Albert C., Chicago, Ill.
 Barnes, Albert R., Salt Lake City, Utah.
 Barnes, Charles B., Jr., Boston, Mass.
 Barnes, Clarence A., Mexico, Mo.
 Barnes, Ezra A., Oswego, N. Y.

- Barnes, Henry B., New York, N. Y.
 Barnes, John, Madison, Wis.
 Barnes, John B., Lincoln, Neb.
 Barnes, John B., Jr., Casper, Wyo.
 Barnes, John Hampton, Philadelphia, Pa.
 Barnes, Jonathan, Springfield, Mass.
 Barnes, Milan Day, New York, N. Y.
 Barnes, R. M., Lacon, Ill.
 Barnes, W. H., Fairbury, Nebr.
 Barnett, D. R., Yazoo City, Miss.
 Barnett, James F., Grand Rapids, Mich.
 Barnett, John T., Denver, Colo.
 Barnett, Otto R., Chicago, Ill.
 Barnett, Raymond G., Kansas City, Mo.
 Barney, C. R., Seattle, Wash.
 Barney, Charles Neal, Lynn, Mass.
 Barney, John M., Milwaukee, Wis.
 Barney, Walter H., Providence, R. I.
 Barnhart, Frank P., Johnstown, Pa.
 Barnwell, Nathaniel B., Charleston, S. C.
 Baron, Saul J., New York, N. Y.
 Barratt, Norris S., Philadelphia, Pa.
 Barret, Thomas C., Shreveport, La.
 Barrett, Dexter T., Lincoln, Nebr.
 Barrett, Fred Eugene, Indianapolis, Ind.
 Barrett, Henry R., White Plains, N. Y.
 Barrett, James M., Fort Wayne, Ind.
 Barrett, Richardson D., Minneapolis, Minn.
 Barrett, William H., Augusta, Ga.
 Barrette, William J., Salt Lake City, Utah.
 Barron, Charles H., Columbia, S. C.
 Barrow, W. M., Baton Rouge, La.
 Barrows, Chester W., Providence, R. I.
 Barrows, Morton, St. Paul, Minn.
 Barry, Edmund D., Los Angeles, Cal.
 Barry, Herbert, New York, N. Y.
 Barry, Michael, Phillips, Wis.
 Barsby, John, Geneva, Nebr.
 Bartch, G. W., Salt Lake City, Utah.
 Bartels, Gustave O., Denver, Col.
 Barth, Irvin V., St. Louis, Mo.
 Barthell, Edward E., Nashville, Tenn.
 Bartholomew, Pliny W., Indianapolis, Ind.
 Bartine, Horace F., Carson City, Nev.
 Bartlett, Charles L., Chicago, Ill.
 Bartlett, Charles L., Macon, Ga.
 Bartlett, Charles W., Boston, Mass.
 Bartlett, George A., Reno, Nev.
 Bartlett, J. Kemp, Baltimore, Md.
 Bartlett, John P., New York, N. Y.
 Bartlett, Ralph Sylvester, Boston, Mass.
 Bartlett, Willard, Brooklyn, N. Y.
 Bartley, Charles Earle, Chicago, Ill.
 Barton, Edward, Cincinnati, Ohio.
 Barton, Elijah, Minneapolis, Minn.
 Barton, George P., Chicago, Ill.
 Barton, R. M., Jr., Memphis, Tenn.
 Barton, Randolph, Baltimore, Md.
 Barton, Randolph, Jr., Baltimore, Md.
 Basehore, Samuel E., Mechanicsburg, Pa.
 Baskerville, Thomas H., New York, N. Y.
 Baskin, John B., Louisville, Ky.
 Bass, Frank M., Nashville, Tenn.
 Bass, S. S., St. Louis, Mo.
 Bassett, J. Colby, Boston, Mass.
 Bassett, Lucius V., Rocky Mount, N. C.
 Bassett, Norman L., Augusta, Me.
 Bessler, John W., Sunbury, Pa.
 Bastian, Willits A., Indianapolis, Ind.
 Batchelder, James K., Bennington, Vt.
 Batchelder, Wallace, Bethel, Vt.
 Batchelor, George H., Indianapolis, Ind.
 Baten, Thomas J., Beaumont, Texas.
 Bates, Charles O., Tacoma, Wash.
 Bates, Charles P., Sioux Falls, S. Dak.
 Bates, Charles W., St. Louis, Mo.
 Bates, George W., Detroit, Mich.
 Bates, Henry M., Ann Arbor, Mich.
 Bates, John Lewis, Boston, Mass.
 Bates, Kahl C., New York, N. Y.
 Batting, W. H., Coeur d'Alene, Idaho.
 Battle, Alfred, Seattle, Wash.
 Battle, George Gordon, New York, N. Y.
 Batts, Robert L., Austin, Texas.
 Bauer, Oswald A., Sparkill, N. Y.
 Bauerle, Albert T., Philadelphia, Pa.
 Bauerle, Harry T., Philadelphia, Pa.
 Bausman, Frederick, Seattle, Wash.
 Baxter, E. J., Jonesboro, Tenn.
 Baxter, Frank, Yuma, Ariz.
 Baxter, Irving F., Omaha, Neb.
 Baxter, John T., Minneapolis, Minn.
 Baxter, Luther L., Fergus Falls, Minn.
 Baxter, Sloss D., Nashville, Tenn.
 Baya, Harry P., Tampa, Fla.
 Bayard, James Wilson, Philadelphia, Pa.
 Bayard, Thomas F., Wilmington, Del.
 Bayer, Anthony M., Minneapolis, Minn.
 Bayes, William R., New York, N. Y.
 Baylis, Willard N., New York, N. Y.
 Baynard, Samuel H., Jr., Wilmington, Del.
 Beach, John K., New Haven, Conn.
 Beach, Myron H., San Antonio, Texas.
 Beagan, John P., Providence, R. I.
 Beal, Fred W., Terre Haute, Ind.
 Beal, Henry W., Boston, Mass.
 Beal, James H., Pittsburg, Pa.
 Beale, Charles W., Wallace, Ida.
 Beale, Joseph Henry, Jr., Cambridge, Mass.
 Beale, Phelan, New York, N. Y.
 Beale, William G., Chicago, Ill.
 Beall, Fillmore, Beltsville, Md.
 Beals, Elton H., Buffalo, N. Y.,

- Beaman, Middleton, Boston, Mass., (New York City.)
 Bean, Edwin J., Jefferson City, Mo.
 Bean, Robert S., Portland, Ore.
 Bearden, Walter S., Shelbyville, Tenn.
 Beardley, Morris B., Bridgeport, Conn.
 Beardsley, Samuel A., New York, N. Y.
 Beasly, W. A., San Jose, Cal.
 Beattie, Charles Maitland, New York, N. Y.
 Beattie, Robert M., Memphis, Tenn.
 Beatty, Frederick L., New York, N. Y.
 Beaty, Amos L., New York, N. Y.
 Beaumont, John W., Detroit, Mich.
 Bechhofer, Charles, St. Paul, Minn.
 Beck, George F., St. Louis, Mo.
 Beck, James M., New York, N. Y.
 Beck, William S., Indianapolis, Ind.
 Beck, William W., Chestertown, Md.
 Becker, Benjamin V., Chicago, Ill.
 Becker, John R., Orofino, Idaho.
 Becker, Wm. Dee, St. Louis, Mo.
 Beckley, Pendleton, Louisville, Ky.
 Beckman, Vincent H., Cincinnati, Ohio.
 Beckwith, Frank, Charles Town, W. Va.
 Bedell, George C., Jacksonville, Fla.
 Bedford, George R., Wilkes-Barre, Pa.
 Bedford, J. Claude, Philadelphia, Pa.
 Bedford, Paul, Wilkes-Barre, Pa.
 Beeber, Dinner, Philadelphia, Pa.
 Beeber, William P., Williamsport, Pa.
 Beedy, Louis S., San Francisco, Cal.
 Beckman, Alston, Red Bank, N. J.
 Beckman, Charles K., New York, N. Y.
 Beeler, Joseph G., North Platte, Neb.
 Beeler, Wm. H., Bloomington, Ind.
 Beer, Scott Eugene, New Orleans, La.
 Beer, William C., Bucyrus, Ohio.
 Beers, George E., New Haven, Conn.
 Begg, Alexander L. W., New York, N. Y.
 Begg, William Reynolds, New York, N. Y.
 Behan, Louis J., Chicago, Ill.
 Beitler, Abraham M., Philadelphia, Pa.
 Beitler, Harold B., Philadelphia, Pa.
 Belcher, Albert M., Charleston, W. Va.
 Belden, Charles F. D., Boston, Mass.
 Relden, E. H., Spokane, Wash.
 Belden, Henry C., Minneapolis, Minn.
 Belden, Oliver W., Lewistown, Mont.
 Belden, William P., Ishpeming, Mich.
 Belford, Samuel W., Reno, Nev.
 Belitz, Arthur F., Madison, Wis.
 Bell, Alexander H., Washington, D. C.
 Bell, C. L., Karnes City, Texas.
 Bell, Charles, Herkimer, N. Y.
 Bell, Clark, New York, N. Y.
 Bell, James D., Brooklyn, N. Y.
 Bell, John C., Philadelphia, Pa.
 Bell, Joseph C., Trinidad, Col.
 Bell, Joseph E., Indianapolis, Ind.
 Bell, Marcus L., Chicago, Ill.
 Bell, Marshall W., Murphy, N. C.
 Bell, Roger J., Roseau, Minn.
 Belt, William O., Chicago, Ill.
 Bender, Melvin T., Albany, N. Y.
 Benedict, Abraham, New York, N. Y.
 Benedict, Edward G., New York, N. Y.
 Benedict, Russell, New York, N. Y.
 Benet, Christie, Columbia, S. C.
 Benjamin, Frank, Newark, N. J.
 Bennet, Sam S., Albany, Ga.
 Bennet, William S., New York, N. Y.
 Bennett, David C., Jr., New York, N. Y.
 Bennett, Edmon G., Pasadena, Cal.
 Bennett, Frank A., Mt. Vernon, N. Y.
 Bennett, John Henry, Viroqua, Wis.
 Bennett, John L., Colorado Springs, Colo.
 Bennett, Samuel C., Boston, Mass.
 Bennett, Smith W., Columbus, Ohio.
 Bensinger, Arthur B., Louisville, Ky.
 Benson, Alfred W., Topeka, Kan.
 Benson, Carville D., Baltimore, Md.
 Benson, Chas. B., Hudson, N. Y.
 Benson, Clifton D., Miami, Fla.
 Bentley, Alexander G., Washington, D. C.
 Bentley, Charles S., Cleveland, Ohio.
 Bentley, Cyrus, Chicago, Ill.
 Benton, C. E., Los Angeles, Cal.
 Benton, Geo. A., Rochester, N. Y.
 Berenson, Arthur, Boston, Mass.
 Bergen, Frank, Newark, N. J.
 Bergen, James J., Somerville, N. J.
 Bergen, Martin V., Philadelphia, Pa.
 Bergen, Tunis G., New York, N. Y.
 Berger, Albert L., Kansas City, Kan.
 Berger, Charles E., Pottsville, Pa.
 Berger, Samuel A., New York, N. Y.
 Bergman, Robert H., New York, N. Y.
 Bergner, Charles H., Harrisburg, Pa.
 Berkey, J. A., Somerset, Pa.
 Berlet, Robert E., Chicago, Ill.
 Berman, Oscar A., Cincinnati, Ohio.
 Bernard, Richard, Baltimore, Md.
 Bernard, Silas G., Asheville, N. C.
 Bernstein, J. Sidney, New York, N. Y.
 Berry, Frederick S., Wayne, Nebr.
 Berry, Henry N., Boston, Mass.
 Berry, John King, Boston, Mass.
 Berry, W. Alvin, Paducah, Ky.
 Berry, Walter V. R., Washington, D. C.
 Beahlin, E. H., Warren, Pa.
 Besson, J. W. Rufus, Hoboken, N. J.
 Best, C. A., Barnwell, S. C.
 Best, Ernest O., Chicago, Ill.
 Best, James L., Minneapolis, Minn.
 Bettinger, Albert, Cincinnati, Ohio.
 Bettman, Alfred, Cincinnati, Ohio.

- Bettman, Gilbert, Cincinnati, Ohio.
 Betts, Samuel R., New York, N. Y.
 Beyer, Harold L., Grinnell, Iowa.
 Bickel, J. M., Greenville, Ohio.
 Bickford, Herbert J., New York, N. Y.
 Bickler, W. S., Los Angeles, Cal.
 Biddle, Charles, Philadelphia, Pa.
 Bidwell, Raymond A., Springfield, Mass.
 Bielaak, A. Bruce, Washington, D. C.
 Bien, Franklin, New York, N. Y.
 Bierer, A. G. Curtin, Guthrie, Okla.
 Bigelow, Albert F., Boston, Mass.
 Bigelow, Cleveland, Boston, Mass.
 Bigelow, William Reed, Boston, Mass.
 Biggs, Davis, St. Louis, Mo.
 Biggs, J. Crawford, Raleigh, N. C.
 Biggs, Robert, Baltimore, Md.
 Bjfur, Nathan, New York, N. Y.
 Bilder, David H., Paterson, N. J.
 Bill, Albert C., Hartford, Conn.
 Billings, Charles L., Chicago, Ill.
 Billingsley, N. B., Lisbon, Ohio.
 Bingham, James, Indianapolis, Ind.
 Bingham, Norman W., Jr., Boston, Mass.
 Bingham, Robert W., Louisville, Ky.
 Binzwanger, Augustus C., Baltimore, Md.
 Bird, Claire B., Wausau, Wis.
 Bird, Daniel E., Kansas City, Mo.
 Bird, George E., Portland, Me.
 Birdzell, Luther E., Grand Forks, N. D.
 Birney, Arthur A., Washington, D. C.
 Biabee, Horatio, Jacksonville, Fla.
 Bishop, C. Orrick, St. Louis, Mo.
 Bishop, Elias E., Boston, Mass.
 Bishop, Henry S., Amarillo, Tex.
 Bishop, Henry W., Eustis, Fla.
 Bishop, James Franklin, Chicago, Ill.
 Bishop, James L., New York, N. Y.
 Bishop, John E., St. Louis, Mo.
 Bishop, John W., Nashville, Ark.
 Bissell, Frederick O., Buffalo, N. Y.
 Bissell, Herbert P., Buffalo, N. Y.
 Bissell, John H., Detroit, Mich.
 Bissing, William F., New York, N. Y.
 Black, Alfred P., San Francisco, Cal.
 Black, Cyrenius P., Lansing, Mich.
 Black, Eugene R., Atlanta, Ga.
 Black, Jeremiah S., York, Pa.
 Black, Loring M., Jr., New York, N. Y.
 Black, Robert L., Cincinnati, Ohio.
 Black, William E., Milwaukee, Wis.
 Blackburn, Thomas W., Omaha, Neb.
 Blackford, George A., Wheeling, W. Va.
 Blackford, R. C., Lynchburg, Va.
 Blackmar, Abel E., Brooklyn, N. Y.
 Blackmur, Paul E., Boston, Mass.
 Blackwell, Geo. Enga, New York, N. Y.
 Blackwood, John W., Little Rock, Ark.
 Blaine, Elbert F., Seattle, Wash.
 Blaine, Samuel E., Boise, Idaho.
 Blair, Albert, St. Louis, Mo.
 Blair, Burr D., Winona, Minn.
 Blair, Charles F., Buffalo, N. Y.
 Blair, Henry P., Washington, D. C.
 Blair, Homer R., Franklin, Pa.
 Blair, James T., Jefferson City, Mo.
 Blair, John S., Washington, D. C.
 Blair, Joseph Paxton, New York, N. Y.
 Blair, R. W., Topeka, Kansas.
 Blair, Robert F., Wagoner, Oklahoma.
 Blake, C. O., El Reno, Okla.
 Blake, Chauncey E., Madison, Wis.
 Blake, Freeman K., Chicago, Ill.
 Blakeley, William A., Pittsburg, Pa.
 Blakely, Elbert Follett, Painesville, Ohio.
 Blakeney, E. D., Kershaw, S. C.
 Blanchard, C. E., Columbus, Ohio.
 Blanchard, Cyrus N., Wilton, Me.
 Blanchard, Herbert H., Springfield, Vt.
 Blanchard, James A., New York, N. Y.
 Blanchard, John, Bellefonte, Pa.
 Blanchard, Will A., Anoka, Minn.
 Bland, George W., Clarksburg, W. Va.
 Bland, R. Howard, Baltimore, Md.
 Bland, S. O., Newport News, Va.
 Blandy, Charles, New York, N. Y.
 Blanton, Horace H., Kansas City, Mo.
 Blatt, William M., Boston, Mass.
 Blauvelt, George A., New York, N. Y.
 Blaxter, H. V., Pittsburgh, Pa.
 Blaydes, R. D., Fort Stockton, Texas.
 Blayne, J. M., Jr., St. Louis, Mo.
 Bledsoe, Benjamin F., Los Angeles, Cal.
 Bledsoe, S. T., Chicago, Ill.
 Blevins, John A., St. Louis, Mo.
 Blinn, George Richard, Boston, Mass.
 Bliss, Harmon J., St. Louis, Mo.
 Bliss, William H., New York, N. Y.
 Bloch, Adolph, New York, N. Y.
 Bloch, Henry, New York, N. Y.
 Block, George M., St. Louis, Mo.
 Block, J. D., Paragould, Ark.
 Blodgett, Edward E., Boston, Mass.
 Blodgett, Henry W., St. Louis, Mo.
 Blood, James H., Denver, Col.
 Bohlen, Francis H., Philadelphia, Pa.
 Bloodgood, Wheeler P., Milwaukee, Wis.
 Bloomberg, Harold S., Richmond, Va.
 Blount, A. C., Jr., Pensacola, Fla.
 Blount, G. Dexter, Denver, Colo.
 Blount, William A., Pensacola, Fla.
 Blumenthal, Maurice B., New York, N. Y.
 Blydenburgh, Charles E., Rawlins, Wyo.
 Blymyer, William H., New York, N. Y.
 Boardman, R. T., Minneapolis, Minn.
 Boardman, Richard, Jersey City, N. J.

- Boarman, Aleck, Shreveport, La.
 Bobb, Dwight S., Chicago, Ill.
 Bockes, Thomas W., Central City, Nebr.
 Bockius, Morris R., Philadelphia, Pa.
 Boesel, Frank Tilden, Milwaukee, Wis.
 Bogardus, John H., New York, N. Y.
 Boger, Charles W., Philadelphia, Pa.
 Bogert, George G., Ithaca, N. Y.
 Bogert, Henry L., New York, N. Y.
 Boggs, Lucien H., Jacksonville, Fla.
 Bogle, W. H., Seattle, Wash.
 Bogue, Frederick, East Machias, Me.
 Bogue, Morton Griswold, New York, N. Y.
 Bohlen, Francis H., Philadelphia, Pa.
 Bohmrich, Louis G., Milwaukee, Wis.
 Bolling, Raynal C., New York, N. Y.
 Bollinger, E. Elmo, Kingman, Ariz.
 Bollinger, James Willis, Davenport, Iowa
 Bollman, Frank E., New Haven, Conn.
 Bolster, Percy G., Boston, Mass.
 Bolte, G. Arthur, Atlantic City, N. J.
 Bolton, Adelbert E., San Francisco, Cal.
 Boltwood, Lucius, Grand Rapids, Mich.
 Bomar, Horace L., Spartanburg, S. C.
 Bomberger, Loudon L., Hammond, Ind.
 Bomeisler, Louis Edwin, New York, N. Y.
 Bonaparte, Charles J., Baltimore, Md.
 Bond, Carroll T., Baltimore, Md.
 Bond, Chester G., Jackson, Tenn.
 Bond, Hugh L., Baltimore, Md.
 Bond, Lawrence, Boston, Mass.
 Bond, Reford, Chickasha, Okla.
 Bond, Samuel R., Washington, D. C.
 Bond, Sterling P., St. Louis, Mo.
 Bond, Thomas, St. Louis, Mo.
 Bond, Walter Huntington, New York, N. Y.
 Bondy, William, New York, N. Y.
 Bonham, Milledge L., Anderson, S. C.
 Bonham, Scott, Cincinnati, Ohio.
 Bonner, William Neely, Wichita Falls, Texas.
 Bonsall, Edward H., Philadelphia, Pa.
 Bonsall, John H., Morristown, N. J.
 Bonynge, Robert W., New York, N. Y.
 Bonynge, William H., New York, N. Y.
 Boone, Linden L., San Diego, Cal.
 Boone, Robert J., Tulsa, Okla.
 Booth, Hiram E., Salt Lake City, Utah.
 Booth, John R., New Haven, Conn.
 Booth, Percy N., Louisville, Ky.
 Booth, Wilbur F., Minneapolis, Minn.
 Boothby, John William, New York, N. Y.
 Boothe, Gardner L., Alexandria, Va.
 Borah, William E. (Washington, D. C.), Boise, Ida.
 Borchardt, Samuel, Tampa, Fla.
 Borchert, Hermann, New York, N. Y.
 Borders, N. W., Chicago, Ill.
 Borneman, Henry S., Philadelphia, Pa.
 Borst, Henry V., Amsterdam, N. Y.
 Bortin, David, Philadelphia, Pa.
 Bosard, Robert H., Minot, N. D.
 Bosley, Wm. Bradford, San Francisco, Cal.
 Boss, Henry M., Jr., Providence, R. I.
 Boston, Charles A., New York, N. Y.
 Boston, John Guyton, New York, N. Y.
 Bostwick, William M., Jr., Jacksonville, Fla.
 Bosworth, Charles Wilder, Springfield, Mass.
 Bosworth, Orrin L., Bristol, R. I.
 Bothwell, James R., Shoshone, Idaho.
 Botsford, James S., Kansas City, Mo.
 Bouchelle, J. F., Charleston, W. Va.
 Bouck, Francis E., Denver, Colo.
 Bouck, Thomas L., Milbank, S. D.
 Boudeman, Dallas, Kalamazoo, Mich.
 Boughton, Edward J., Denver, Colo.
 Boulware, A. L., Richmond, Va.
 Bourgeois, George A., Atlantic City, N. J.
 Bourne, Louis M., Asheville, N. C.
 Bourquin, George M., Butte, Mont.
 Bouvier, John Vernon, Jr., New York, N. Y.
 Bowen, A. T., Knoxville, Tenn.
 Bowen, Arthur M., Twin Falls, Ida.
 Bowen, Jesse N., Baltimore, Md.
 Bowen, William A., Los Angeles, Cal.
 Bowen, Wm. M. P., Providence, R. I.
 Bowerman, Jay, Portland, Ore.
 Bowers, E. A., Elkins, W. Va.
 Bowers, E. J., Gulfport, Miss.
 Bowers, James W., Baltimore, Md.
 Bowers, Richard S., Caldwell, Texas.
 Bowers, Spotswood D., Bridgeport, Conn.
 Bowers, William O., Giddings, Tex.
 Bowersock, Justin D., Kansas City, Mo.
 Bowie, Clarence K., Baltimore, Md.
 Bowie, J. F., San Francisco, Cal.
 Bowie, Sydney J., Birmingham, Ala.
 Bowie, Washington, Jr., Baltimore, Md.
 Bowker, George C., Philadelphia, Pa.
 Bowker, W. M., Nevada, Mo.
 Bowman, Border, Springfield, Ohio.
 Bowman, D. W., Greenville, Ohio.
 Bowman, Harold M., Montclair, N. J.
 Bowman, Harry C., Topeka, Kan.
 Bowman, Henry H., New York, N. Y.
 Bowman, Noah L., Garnett, Kan.
 Bowman, W. P., Philadelphia, Pa.
 Bowser, S. F., Butler, Pa.
 Boxley, Fred. A., Kansas City, Mo.
 Boyce, E. L., Newport, Ark.
 Boyce, J. W., Sioux Falls, S. D.
 Boyd, A. Hunter, Cumberland, Md.
 Boyd, A. Hunter, Jr., Baltimore, Md.

- Boyd, Clarence T., Nashville, Tenn.
 Boyd, Cornelius A., Ogden, Utah.
 Boyd, H. R., Memphis, Tenn.
 Boyd, James E., Greensboro, N. C.
 Boyd, James Harrington, Toledo, Ohio.
 Boyd, James T., Reno, Nev.
 Boyd, W. H., Cleveland, Ohio.
 Boyden, Roland W., Boston, Mass.
 Boyer, Henry C., Philadelphia, Pa.
 Boyer, John S., St. Joseph, Mo.
 Boyle, John Wellington, Utica, N. Y.
 Boynton, A. E., San Francisco, Cal.
 Boys, William H., Streator, Ill.
 Roseman, Albert S., Meridian, Miss.
 Brace, C. E., Crosby, N. Dak.
 Bracelen, Charles M., Minneapolis, Minn.
 Bracken, Francis B., Philadelphia, Pa.
 Bracken, Leonidas L., Muncie, Ind.
 Brackett, Edgar T., Saratoga Springs, N. Y.
 Bradbury, Harry B., New York, N. Y.
 Bradbury, James O., Saco, Me.
 Braden, James P., Washington, Pa.
 Bradford, Edward G., Wilmington, Del.
 Bradford, Ernest W., Washington, D. C.
 Bradford, Francis B., Appleton, Wis.
 Bradlee, Edward C., Boston, Mass.
 Bradley, Charles D., Florence, Colo.
 Bradley, Charles H., Washington, D. C.
 Bradley, Lee C., Birmingham, Ala.
 Bradley, Ralph E., Chicago, Ill.
 Bradley, Thos. E. D., Chicago, Ill.
 Bradley, William M., Portland, Me.
 Bradley, William M., Salt Lake City, Utah.
 Bradshaw, George Samuel, Greensboro, N. C.
 Bradshaw, Henry A., Florence, Ala.
 Bradshaw, W. L., The Dalles, Ore.
 Bradshaw, William Francis, Jr., Paducah, Ky.
 Brady, Arthur W., Anderson, Ind.
 Brady, George Moore, Baltimore, Md.
 Brady, John T., Harrisburg, Pa.
 Brady, Michael C., Minneapolis, Minn.
 Brady, Thomas, Jr., Brookhaven, Miss.
 Brainard, John Morgan, Auburn, N. Y.
 Brainerd, Ira H., New York, N. Y.
 Braley, Henry K., Boston, Mass.
 Bramham, William Gibbons, Durham, N. C.
 Bramlett, Walter Sherwood, Dallas, Texas.
 Bramlette, E. M., Longview, Texas.
 Branch, Lee W., Quitman, Ga.
 Branch, Oliver E., Manchester, N. H.
 Brandeis, Louis D., Boston, Mass.
 Brandenstein, H. U., San Francisco, Cal.
 Brandon, Morris, Atlanta, Ga.
 Branine, Ezra, Newton, Kans.
 Brann, Walter S., San Francisco, Cal.
 Brannan, Joseph Doddridge, Cambridge, Mass.
 Brannon, W. W., Weston, W. Va.
 Brantley, Theodore, Helena, Mont.
 Brantley, W. G., Washington, D. C.
 Brantly, William T., Baltimore, Md.
 Brashears, James R., Annapolis, Md.
 Braucht, H. S., Newkirk, Okla.
 Brawley, Wm. H., Charleston, S. C.
 Bray, Thomas J., Grinnell, Iowa.
 Brayton, Dean F., Salt Lake City, Utah.
 Brayton, Israel, Fall River, Mass.
 Breaux, Joseph A., New Iberia, La.
 Breazeale, Samuel A., Harriman, Tenn.
 Breckenridge, Henry, Washington, D. C.
 Breckinridge, A. N., Summersville, W. Va.
 Breeding, Ben N., Chicago, Ill.
 Breed, William C., New York, N. Y.
 Breen, James J., Philadelphia, Pa.
 Breen, Peter, Eureka, Nev.
 Breen, William P., Fort Wayne, Ind.
 Breitinger, Frederick L., Philadelphia, Pa.
 Breitinger, J. Louis, Philadelphia, Pa.
 Bremer, Clifton L., Boston, Mass.
 Bremer, Paul G., St. Paul, Minn.
 Brennan, John F., Yonkers, N. Y.
 Brennan, John H., Bartlesville, Okla.
 Brennan, Robert, Los Angeles, Cal.
 Brennan, Russell H., Utica, N. Y.
 Brennen, W. J., Pittsburgh, Pa.
 Brewer, Daniel Chauncey, Boston, Mass.
 Brewer, P. D., Oklahoma City, Okla.
 Brewster, Frank, Boston, Mass.
 Brewster, James H., Boulder, Colo.
 Brewster, Joseph, New York, N. Y.
 Brewster, Samuel C., Chanute, Kans.
 Brice, A. G., Chester, S. C.
 Brice, Philip H., Philadelphia, Pa.
 Brice, Wilson B., New York, N. Y.
 Brickenstein, John H., Washington, D. C.
 Bride, William W., Washington, D. C.
 Bridger, Roswell C., Winton, N. C.
 Bridgers, John L., Tarboro, N. C.
 Bridges, J. B., Aberdeen, Wash.
 Bridgman, Raymond, Minneapolis, Minn.
 Briere, Charles E., Grand Rapids, Wis.
 Briggs, Asa G., St. Paul, Minn.
 Briggs, Charles G., San Diego, Cal.
 Bright, Alfred H., Minneapolis, Minn.
 Bright, Michael S., Duluth, Minn.
 Bright, Robert S., Philadelphia, Pa.
 Brimmer, George E., Rawlins, Wyo.
 Brinton, Jasper Yeates, Philadelphia, Pa.
 Brinton, Joseph Hill, Philadelphia, Pa.
 Briscoe, John P., Prince Frederick, Md.
 Bristol, William A., Statesville, N. C.
 Bristol, William C., Portland, Ore.

- Bristor, Joseph W., Baltimore, Md.
 Britain, A. H., Wichita Falls, Tex.
 Britt, E. W., Los Angeles, Cal.
 Britt, James J., Asheville, N. C.
 Britt, Philip J., New York, N. Y.
 Britt, T. Louis A., New York, N. Y.
 Brittain, Frank S., San Francisco, Cal.
 Britton, Alexander, Washington, D. C.
 Britton, Roy F., St. Louis, Mo.
 Broadhurst, Edgar D., Greensboro, N. C.
 Broadwin, Isidor Lawrence, New York, N. Y.
 Brobeck, W. I., San Francisco, Cal.
 Brock, Charles E., Cleveland, Ohio.
 Brock, Charles R., Denver, Col.
 Brock, Lee, Nashville, Tenn.
 Brockett, Orlando Mitchell, Des Moines, Iowa.
 Brodek, Charles A., New York, N. Y.
 Brogan, Francis A., Omaha, Neb.
 Bromberg, Frederick G., Mobile, Ala.
 Bromberg, Henri Louie, Dallas, Tex.
 Brome, Clinton, Omaha, Nebr.
 Bronson, Harrison A., Grand Forks, N. D.
 Bronson, Ira, Seattle, Wash.
 Bronson, Nathaniel R., Waterbury, Conn.
 Brooke, H. Laurence, Norfolk, Va.
 Brooks, Aubrey L., Greensboro, N. C.
 Brooks, C. H., Wichita, Kan.
 Brooks, Frank C., Minneapolis, Minn.
 Brooks, Franklin E., Colorado Springs, Col.
 Brooks, Frederick H., Smithfield, N. C.
 Brooks, J. W., Walla Walla, Wash.
 Brooks, John B., Erie, Pa.
 Brooks, Joseph S., Kansas City, Mo.
 Brooks, W. Burt, Little Rock, Ark.
 Broomall, John M., Media, Pa.
 Brophy, Charles E., New York, N. Y.
 Brosmith, William, Hartford, Conn.
 Broughel, A. J., Hartford, Conn.
 Broun, A. G. T., Sherburn, Minn.
 Broussard, Robert F., New Iberia, La.
 Browder, Wilbur F., Russellville, Ky.
 Brown, Armstead, Montgomery, Ala.
 Brown, Arthur L., Providence, R. I.
 Brown, Ben Hill, Spartanburg, S. C.
 Brown, Calvin L., St. Paul, Minn.
 Brown, Chapin, Washington, D. C.
 Brown, Charles A., Chicago, Ill.
 Brown, Charles L., Philadelphia, Pa.
 Brown, Charles Paul, New York, N. Y.
 Brown, Charles T., New York, N. Y.
 Brown, Daniel, Far Rockaway, N. Y.
 Brown, Edward Eagle, Chicago, Ill.
 Brown, Edward Osgood, Chicago, Ill.
 Brown, Edwin L., Parker, S. Dak.
 Brown, Eli Huston, Frankfort, Ky.
 Brown, Elmer W., Lincoln, Neb.
 Brown, Francis Shunk, Philadelphia, Pa.
 Brown, Fraser, Yonkers, N. Y.
 Brown, Fred W., Boston, Mass.
 Brown, Frederick A., Chicago, Ill.
 Brown, Frederick M., Valdez, Alaska.
 Brown, Frederick V., Seattle, Wash.
 Brown, G. A., Mangum, Okla.
 Brown, George Frank, Titusville, Pa.
 Brown, George H., Boston, Mass.
 Brown, George H., Washington, N. C.
 Brown, George S., Reno, Nev.
 Brown, George T., Providence, R. I.
 Brown, George T., Wilmington, Del.
 Brown, H. La Rue, Boston, Mass.
 Brown, Harry J., Concord, N. H.
 Brown, Henry P., Philadelphia, Pa.
 Brown, Hugh H., Tonopah, Nev.
 Brown, J. Hay, Lancaster, Pa.
 Brown, J. Louis, Murray, Utah.
 Brown, James H., Denver, Col.
 Brown, John A., Philadelphia, Pa.
 Brown, John B., Monmouth, Ill.
 Brown, Joseph, Chattanooga, Tenn.
 Brown, Lawrence E., Scottsboro, Ala.
 Brown, Leo M., Mobile, Ala.
 Brown, Leslie L., Winona, Minn.
 Brown, Melville C., Laramie, Wyo.
 Brown, Neal, Wausau, Wis.
 Brown, Norris, Omaha, Nebraska.
 Brown, Oren Britt, Dayton, Ohio.
 Brown, Philip E., St. Paul, Minn.
 Brown, R. A., St. Joseph, Mo.
 Brown, Reynolds D., Philadelphia, Pa.
 Brown, Rome G., Minneapolis, Minn.
 Brown, Rufus E., Burlington, Vt.
 Brown, Schell C., Chanute, Kans.
 Brown, Selden S., Rochester, N. Y.
 Brown, Stephen S., Jefferson City, Mo.
 Brown, Stuart, Springfield, Ill.
 Brown, Taylor E., Chicago, Ill.
 Brown, Thomas Stephen, Pittsburgh, Pa.
 Brown, Volney M., El Paso, Texas.
 Brown, W. W., Parsons, Kan.
 Brown, William Alexander, Philadelphia, Pa.
 Brown, Wm. Findlay, Philadelphia, Pa.
 Brown, William H., Boston, Mass.
 Brown, William Wallace, Bradford, Pa.
 Brown, Wrisley, Washington, D. C.
 Browne, Arthur S., Washington, D. C.
 Browne, E. Wayles, Shreveport, La.
 Browne, Evans, Washington, D. C.
 Browne, G. Morgan, New York, N. Y.
 Browne, John R., Marion, Ind.
 Brownell, Edward L., Providence, R. I.
 Brownell, George F., New York, N. Y.
 Brownell, Henry B., New York, N. Y.

- Browning, Le Wright, Maysville, Ky.
 Brownson, Robert M., Detroit, Mich.
 Brownson, Wendell G., Springfield, Mass.
 Bruce, Andrew A., Blmarck, N. D.
 Bruce, Charles M., Boston, Mass.
 Bruce, Edward B., Manila, P. I.
 Bruce, Helm, Louisville, Ky.
 Bruce, John E., Cincinnati, Ohio.
 Bruell, Wm. F., Redfield, S. D.
 Bruenn, Bernard, New Orleans, La.
 Brumback, Hermann, Kansas City, Mo.
 Brundage, Edward J., Chicago, Ill.
 Brundidge, O. D., Dallas, Texas.
 Brunini, John B., Vicksburg, Miss.
 Brunn, Charles W., Kansas City, Mo.
 Bruno, Richard M., New York, N. Y.
 Brunot, H. F., Baton Rouge, La.
 Brunson, D. D., Cosgate, Okla.
 Bryan, Charles M., Memphis, Tenn.
 Bryan, Claiborne N., Nashville, Tenn.
 Bryan, George, Richmond, Va.
 Bryan, J. P. K., Charleston, S. C.
 Bryan, Lewis R., Houston, Texas.
 Bryan, M. T., Nashville, Tenn.
 Bryan, Nathan P., Jacksonville, Fla.
 Bryan, P. Taylor, St. Louis, Mo.
 Bryan, Shepard, Atlanta, Ga.
 Bryan, Thos. Pinckney, Richmond, Va.
 Bryant, C. J., Independence, Kans.
 Bryant, Wilbur F., Hartington, Nebr.
 Bryson, J. C., Vicksburg, Miss.
 Bryson, Joseph M., St. Louis, Mo.
 Buchanan, A. S., Memphis, Tenn.
 Buchanan, Charles J., Albany, N. Y.
 Buchanan, James, Trenton, N. J.
 Buchanan, Malcolm G., Trenton, N. J.
 Bucher, C. S., Coffeyville, Kans.
 Buck, Arthur A., Schenectady, N. Y.
 Buck, Charles Francis, New Orleans, La.
 Buck, Gordon M., New York, N. Y.
 Buck, Henry, Marion, S. C.
 Buck, Walter H., Baltimore, Md.
 Buckbee, Monmouth S., White Plains, N. Y.
 Buckingham, George T., Chicago, Ill.
 Budd, Henry, Philadelphia, Pa.
 Buder, Gustavus A., St. Louis, Mo.
 Buder, Oscar E., St. Louis, Mo.
 Budge, Alfred, Boise, Idaho.
 Budge, Jesse R. S., Pocatello, Idaho.
 Buell, Charles J., Rapid City, S. D.
 Buffington, Edwin D., Stillwater, Minn.
 Buffington, George W., Minneapolis, Minn.
 Buffum, Walter N., Boston, Mass.
 Buford, Algernon S., Jr., Richmond, Va.
 Buford, E. P., Lawrenceville, Va.
 Bugbee, Albert L., Shell Lake, Wis.
 Buist, H. F., Blackville, S. C.
 Buist, Henry, Charleston, S. C.
 Bujac, Etienne DePellissier, Carlsbad, N. Mex.
 Bulkley, Almon W., Chicago, Ill.
 Bulkley, Harry Conant, Detroit, Mich.
 Bull, J. Edgar, New York, N. Y.
 Bullington, Orville, Wichita Falls, Tex.
 Bullitt, Joshua F., Big Stone Gap, Va.
 Bullitt, William Marshall, Louisville, Ky.
 Bullock, A. G., Worcester, Mass.
 Bullock, Ferdinand E. M., New York, N. Y.
 Bumgardner, J. Lewis, Beckley, W. Va.
 Bundy, Charles T., Eau Claire, Wis.
 Bundy, William F., Centralia, Ill.
 Bunn, Charles W., St. Paul, Minn.
 Bunn, George L., St. Paul, Minn.
 Bunnell, W. O., Wilkes-Barre, Pa.
 Buntin, W. Allison, Nashville, Tenn.
 Bunting, J. Briscoe, Prince Frederick, Md.
 Bunting, Joseph T., Philadelphia, Pa.
 Burbage, W. H., Winslow, Ariz.
 Burbank, Byron G., Omaha, Nebr.
 Burch, Charles N., Memphis, Tenn.
 Burcham, J. T., Spokane, Wash.
 Burchard, John E., St. Paul, Minn.
 Burchenal, Caleb E., Wilmington, Del.
 Burdett, Everett W., Boston, Mass.
 Burdick, Charles W., Cheyenne, Wyo.
 Burdick, Clark, Newport, R. I.
 Burdick, Francis M., New York, N. Y.
 Burdick, William Livesey, Lawrence, Kan.
 Burdell, Charles S., Cincinnati, Ohio.
 Burford, Albert Lee, Texarkana, Texas.
 Burford, J. M., Mt. Pleasant, Texas.
 Burger, Louis J., Baltimore, Md.
 Burges, William H., El Paso, Tex.
 Burgess, J. L., Dallas, Texas.
 Burgess, James H., Bangor, Me.
 Burgess, S. A., St. Louis, Mo.
 Burghard, Edward M., New York, N. Y.
 Burgwin, A. P., Pittsburgh, Pa.
 Burgwin, George C., Pittsburgh, Pa.
 Burkan, Nathan, New York, N. Y.
 Burkart, Joseph A., Washington, D. C.
 Burke, Edmund W., Chicago, Ill.
 Burke, Edward H., Towson, Md.
 Burke, Edward M., Westerly, R. I.
 Burke, Francis, Boston, Mass.
 Burke, N. Charles, Towson, Md.
 Burke, Richard D., Kansas City, Mo.
 Burke, Thomas, Seattle, Wash.
 Burke, Thomas C., Buffalo, N. Y.
 Burke, Walter J., New Iberia, La.
 Burke, Webster H., Chicago, Ill.
 Burket, Harlan F., Findlay, Ohio.
 Burkhalter, Robert P., Chicago, Ill.

- Burkhart, Edward E., Dayton, Ohio.
 Burks, Paul, Los Angeles, Cal.
 Burleigh, Alvin, Plymouth, N. H.
 Burlingham, Charles C., New York, N. Y.
 Burnett, Arthur H., Omaha, Nebr.
 Burnett, Charles A., Lafayette, Ind.
 Burnett, Henry, Louisville, Ky.
 Burnett, W. F., Dickinson, N. Dak.
 Burnett, William H., Philadelphia, Pa.
 Burnham, Addison C., Boston, Mass.
 Burnham, Frank T., Kansas City, Mo.
 Burnham, Frederic, Chicago, Ill.
 Burnham, Frederick G., Morristown, N. J.
 Burnham, Henry L., Boston, Mass.
 Burnham, Telford, Chicago, Ill.
 Burns, Ira B., Kansas City, Mo.
 Burns, James F., Chicago, Ill.
 Burns, Louis Henry, New Orleans, La.
 Burns, Robert, New York, N. Y.
 Burpee, Lucien Francis, Waterbury, Conn.
 Burr, James E., Scranton, Pa.
 Burr, Stiles W., St. Paul, Minn.
 Burr, William P., New York, N. Y.
 Burrage, Albert C., Boston, Mass.
 Burritt, William A., Hancock, Mich.
 Burroughs, Benjamin R., Edwardsville, Ill.
 Burroughs, Paul G., New York, N. Y.
 Burry, William, Chicago, Ill.
 Burtenshaw, Luther L., Council, Idaho.
 Burton, Charles S., Chicago, Ill.
 Burton, Clarence F., Reno, Nev.
 Burton, George W., Peoria, Ill.
 Burton, H. Ralph, Washington, D. C.
 Burton, Robert, Wheatland, Mo.
 Burton, Robert A., Chicago, Ill.
 Burwell, Benjamin F., Oklahoma City, Okla.
 Busby, Leonard A., Chicago, Ill.
 Bush, F. C., Osage, Iowa.
 Bush, Myron P., Buffalo, N. Y.
 Bushnell, Nathan P., Peekskill, N. Y.
 Bushnell, T. H., Cleveland, Ohio.
 Buss, Charles M., Cleveland, Ohio.
 Butkiewicz, Thomas, Jr., Wilkes-Barre, Pa.
 Butler, Charles Henry (Washington, D. C.), New York, N. Y.
 Butler, Charles T., Beaumont, Texas.
 Butler, Frank W., Farmington, Me.
 Butler, Fred E., Lewiston, Ida.
 Butler, Frederick M., Rutland, Vt.
 Butler, Fred. W., Jacksonville, Fla.
 Butler, Harry L., Madison, Wis.
 Butler, J. Edgar, Philadelphia, Pa.
 Butler, James M., Columbus, Ohio.
 Butler, Noble C., Indianapolis, Ind.
 Butler, Pierce, St. Paul, Minn.
 Butler, Rush C., Chicago, Ill.
 Butler, William Allen, New York, N. Y.
 Butler, William E., New York, N. Y.
 Butler, William M., Boston, Mass.
 Butties, John S., Brandon, Vt.
 Button, Charles I., Middlebury, Vt.
 Button, William H., New York, N. Y.
 Butz, Reuben J., Allentown, Pa.
 Buxton, John Cameron, Winston-Salem, N. C.
 Buzbee, Thomas S., Little Rock, Ark.
 Byard, James J., Jr., Cooperstown, N. Y.
 Byers, Alpheus, Seattle, Wash.
 Byers, I. W., Iron River, Mich.
 Byers, Ovid A., Seattle, Wash.
 Bynum, William P., Greensboro, N. C.
 Byrd, Richard Evelyn, Richmond, Va.
 Byrd, William, New York, N. Y.
 Byrne, Edward J., Brooklyn, N. Y.
 Byrne, James, New York, N. Y.
 Byrne, M. J., Waterbury, Conn.
 Cabanis, E. H., Birmingham, Ala.
 Cabell, George C., Norfolk, Va.
 Cabell, P. H. C., Richmond, Va.
 Cable, Davis J., Lima, Ohio.
 Cabot, Frederick Pickering, Boston, Mass.
 Cadwalader, John, Philadelphia, Pa.
 Cadwalader, John, Jr., Philadelphia, Pa.
 Cadwalader, Peirce J., Cincinnati, Ohio.
 Cadwalader, Richard M., Philadelphia, Pa.
 Cadwalader, Thomas F., Baltimore, Md.
 Cady, Daniel L., New York, N. Y.
 Cady, Samuel H., Green Bay, Wis.
 Cafferata, Harry J., Hoboken, N. J.
 Caffey, Francis Gordon, Washington, D. C.
 Cahill, Franklin T., Cincinnati, Ohio.
 Cahn, Edgar M., New Orleans, La.
 Cahn, William L., New York, N. Y.
 Oahoone, Richards Mott, Brooklyn, N. Y.
 Cain, Orville E., Keene, N. H.
 Cain, Stith M., Nashville, Tenn.
 Caine, Edwin E., Elko, Nev.
 Calderwood, John E., Punxsutawney, Pa.
 Caldwell, Chester L., St. Paul, Minn.
 Caldwell, Fred S., Oklahoma City, Okla.
 Caldwell, H. S., Jasper, Fla.
 Caldwell, James Hope, New York, N. Y.
 Caldwell, Stafford, Live Oak, Fla.
 Caldwell, Waller C., Trenton, Tenn.
 Calfee, Robert M., Cleveland, Ohio.
 Calhoun, O. C. (Washington, D. C.), Lexington, Ky.
 Calhoun, John W., St. Louis, Mo.
 Calhoun, Samuel A., Oklahoma City, Okla.
 Calhoun, William J., Chicago, Ill.
 Calkins, Frank M., Medford, Ore.
 Calkins, Oscar, Brockton, Mass.
 Call, Justin D., Brigham, Utah.
 Callahan, James A., Winnemucca, Nev.
 Callahan, James P. H., Hoquiam, Wash.

- Callahan, S. James, New Castle, Pa.
 Callahan, W. W., Decatur, Ala.
 Calvert, Cleon K., Hyden, Ky.
 Calvert, George H., Pittsburgh, Pa.
 Calwell, James S., Baltimore, Md.
 Camalier, B. Harris, Leonardtown, Md.
 Camden, H. P., Parkersburg, W. Va.
 Cameron, Don M., Little Falls, Minn.
 Cameron, Frederick W., Albany, N. Y.
 Cameron, John M., Chicago, Ill.
 Cameron, Robert Thomas, Chattanooga, Tenn.
 Cameron, Winfield S., Jamestown, N. Y.
 Camp, Edgar W., Los Angeles, Cal.
 Campbell, A. C., Wilkes-Barre, Pa.
 Campbell, Altes H., Iola, Kan.
 Campbell, Angus G., DeFuniak Springs, Fla.
 Campbell, Bruce H., Johnstown, Pa.
 Campbell, C. W., Huntington, W. Va.
 Campbell, Charles H., Detroit, Mich.
 Campbell, Charles N., Charles Town, W. Va.
 Campbell, Daniel Curry, Jacksonville, Fla.
 Campbell, Donald, New York, N. Y.
 Campbell, Edward K., Washington, D. C.
 Campbell, Francis A., Boston, Mass.
 Campbell, Frederick B., New York, N. Y.
 Campbell, George J., Pittsburgh, Pa.
 Campbell, Henry M., Detroit, Mich.
 Campbell, Ira A., San Francisco, Cal.
 Campbell, J. J., Pittsburg, Kan.
 Campbell, James H., Grand Rapids, Mich.
 Campbell, John, Denver, Col.
 Campbell, John A. L., New York, N. Y.
 Campbell, John H., Tucson, Ariz.
 Campbell, John M., Philadelphia, Pa.
 Campbell, Lemuel E., Nashville, Tenn.
 Campbell, Louis G., Winnemucca, Nev.
 Campbell, P. P., Pittsburg, Kans.
 Campbell, R. M., Oklahoma City, Okla.
 Campbell, Ralph E., Muskogee, Okla.
 Campbell, Robert B., Greenville, Miss.
 Campbell, Roy D., Cotton Plant, Ark.
 Campbell, S. D., Newport, Ark.
 Campin, M. B., Sheridan, Wyo.
 Campner, Samuel, New Haven, Conn.
 Canada, J. W., Memphis, Tenn.
 Canaday, Walter, Ames, Iowa.
 Canfield, George F., New York, N. Y.
 Cann, J. Ferris, Savannah, Ga.
 Canning, John E., Providence, R. I.
 Cannon, Austin V., Cleveland, Ohio.
 Cannon, E. J., Spokane, Wash.
 Cannon, John L., Cleveland, Ohio.
 Cannon, Thomas D., St. Louis, Mo.
 Cannon, William M., San Francisco, Cal.
 Cant, William A., Duluth, Minn.
 Cantline, Peter, Newburgh, N. Y.
 Cantrell, Deaderick H., Little Rock, Ark.
 Cantrell, Francis S., Jr., Philadelphia, Pa.
 Cantrell, John H., Chattanooga, Tenn.
 Capen, Charles L., Bloomington, Ill.
 Capers, John G., Washington, D. C.
 Caplan, Ephraim, St. Louis, Mo.
 Capper, Walter C., Cumberland, Md.
 Caraballo, Martin, Tampa, Fla.
 Carby, J. O., Milwaukee, Wis.
 Carden, Frank S., Chattanooga, Tenn.
 Cardozo, Benjamin N., New York, N. Y.
 Cardozo, Ernest A., New York, N. Y.
 Carey, Charles H., Portland, Ore.
 Carey, Francis K., Baltimore, Md.
 Carey, Joseph G., Wichita, Kan.
 Carey, Martin, New York, N. Y.
 Carey, William H., Jersey City, N. J.
 Carland, John E., Washington, D. C.
 Carleton, Philip Greenleaf, Boston, Mass.
 Carlin, Walter J., New York, N. Y.
 Carlisle, Howard B., Spartanburg, S. C.
 Carlisle, John F., Columbus, Ohio.
 Carlisle, John N., Albany, N. Y.
 Carlsmith, Carl S., Hilo, Hawaii.
 Carlson, Frank, New York, N. Y.
 Carlton, Otis J., Haverhill, Mass.
 Carmichael, J. D., Chickasha, Okla.
 Carmichael, J. H., Little Rock, Ark.
 Carmichael, Daniel F., Minneapolis, Minn.
 Carmody, Terrence F., Waterbury, Conn.
 Carmouche, W. J., Crowley, La.
 Carney, Francis J., Boston, Mass.
 Carpenter, Clay, Moberg, S. D.
 Carpenter, Edward N., Boston, Mass.
 Carpenter, George A., Chicago, Ill.
 Carpenter, George H., Liberty, N. Y.
 Carpenter, Harry Lee, Greenville, Texas.
 Carpenter, J. McF., Pittsburgh, Pa.
 Carpenter, James Emerson, New York, N. Y.
 Carpenter, Lewis T., Phoenix, Ariz.
 Carpenter, Paul D., Milwaukee, Wis.
 Carpenter, Samuel L., Los Angeles, Cal.
 Carpenter, William L., Detroit, Mich.
 Carr, E. M., Manchester, Iowa.
 Carr, Geo. Wentworth, Philadelphia, Pa.
 Carr, Harvey F., Camden, N. J.
 Carr, James A., St. Louis, Mo.
 Carr, John M., Hazleton, Pa.
 Carr, Thomas Percy, St. Louis, Mo.
 Carr, W. Russell, Uniontown, Pa.
 Carr, William J., Brooklyn, N. Y.
 Carr, Wm. Wilkins, Philadelphia, Pa.
 Carrigan, Charles E., Moundsville, W. Va.
 Carringer, M. A., Tionesta, Pa.
 Carroll, A. J., Louisville, Ky.
 Carroll, Charles, New Orleans, La.

- Carroll, Francis M., Boston, Mass.
 Carroll, Fred. Linus, Johnstown, N. Y.
 Carroll, James B., Springfield, Mass.
 Carroll, James E., St. Louis, Mo.
 Carroll, Joseph Wheadon, New Orleans, La.
 Carroll, Philip A., New York, N. Y.
 Carroll, W. S., Erie, Pa.
 Carrow, Howard, Camden, N. J.
 Carruth, Charles R., New York, N. Y.
 Carson, Hampton L., Philadelphia, Pa.
 Carson, John A., Salem, Ore.
 Carson, Joseph, Philadelphia, Pa.
 Carson, Ralph K., Spartanburg, S. C.
 Carter, Charles H., Pendleton, Ore.
 Carter, Edward E., Wellsburg, W. Va.
 Carter, Frank W., St. Louis, Mo.
 Carter, H. C., San Antonio, Tex.
 Carter, Henry J., New Orleans, La.
 Carter, Hugh E., Bolivar, Tenn.
 Carter, Jarvis P., New York, N. Y.
 Carter, L. O., Kansas City, Kans.
 Carter, Orrin N., Chicago, Ill.
 Carter, Pasco B., Boise, Idaho.
 Carter, William A., Tampa, Fla.
 Carton, Alfred T., Chicago, Ill.
 Carton, John J., Flint, Mich.
 Carusi, Charles F., Washington, D. C.
 Caruthers, John, Okemah, Okla.
 Carver, Eugene P., Boston, Mass.
 Carver, Harry S., Bel Air, Md.
 Carver, M. H., Natchitoches, La.
 Carver, Percy W., Boston, Mass.
 Cary, Guy, New York, N. Y.
 Cary, Hunsdon, Richmond, Va.
 Cary, Lucius F., Richmond, Va.
 Cary, Robert J., Chicago, Ill.
 Case, Benjamin W., Wakefield, R. I.
 Case, Birdsey E., Hartford, Conn.
 Case, Chas. Center, Jr., Chicago, Ill.
 Case, Daniel H., Wailuku, Hawaii.
 Case, William W., Chicago, Ill.
 Casey, John H., Boston, Mass.
 Casey, Samuel M., Batesville, Ark.
 Casey, Thomas, Fitchburg, Mass.
 Casgrain, Charles W., Detroit, Mich.
 Cash, Daniel G., Duluth, Minn.
 Cash, Dennis F., Cincinnati, Ohio.
 Cashel, John A., Worthington, Minn.
 Cashman, William T., Cleveland, Ohio.
 Cassatt, Alfred C., Cincinnati, Ohio.
 Cassell, R. B., Harriman, Tenn.
 Cassels, Edwin H., Chicago, Ill.
 Castle, Alfred L., Honolulu, Hawaii.
 Castle, Kendall B., Rochester, N. Y.
 Castle, William E., Honolulu, Hawaii.
 Caston, R. T., Cheraw, S. C.
 Cates, Charles T., Jr., Knoxville, Tenn.
 Catherwood, S. D., Austin, Minn.
 Caton, James R., Alexandria, Va.
 Catron, Thomas B., Santa Fe, N. M.
 Caulfield, Henry S., St. Louis, Mo.
 Cavanagh, B. J., Des Moines, Iowa.
 Cavanagh, James F., Boston, Mass.
 Cavanah, Charles C., Boise, Idaho.
 Cavanaugh, Martin J., Ann Arbor, Mich.
 Cavaney, Peter E., Boise, Idaho.
 Cave, Rhodes E., St. Louis, Mo.
 Cavender, Charles, Leadville, Col.
 Cavett, William G., Memphis, Tenn.
 Cavette, Scott Osten, Chicago, Ill.
 Cawcroft, Ernest, Jamestown, N. Y.
 Chace, Elmer S., Providence, R. I.
 Chadbourne William M., New York, N. Y.
 Chaffe, David B. H., New Orleans, La.
 Chaffe, Henry H., New Orleans, La.
 Chalfant, John W., Pittsburgh, Pa.
 Chamberlain, Albert Henry, Lawrence, Mass.
 Chamberlain, John A., Cleveland, Ohio.
 Chamberlain, Joseph P., New York, N. Y.
 Chamberlin, Frederic E., Bayonne, N. J.
 Chamberlin, Horace, Little Rock, Ark.
 Chamberlin, J. Morrill, Washington, D. C.
 Chamberlin, Robert N., Berlin, N. H.
 Chambers, Arthur W., New Haven, Conn.
 Chambers, C. M., San Antonio, Texas.
 Chambers, E. S., Clarksville, Texas.
 Chambers, Francis T., Philadelphia, Pa.
 Chambers, T. G., Oklahoma City, Okla.
 Chambliss, Alexander W., Chattanooga, Tenn.
 Chambliss, John A., Chattanooga, Tenn.
 Chancellor, Justus, Chicago, Ill.
 Chandler, Albert Minot, Boston, Mass.
 Chandler, Alfred D., Boston, Mass.
 Chandler, Charles S., Ely, Nev.
 Chandler, Jeff. P., Los Angeles, Cal.
 Chandler, Joseph H., Chicago, Ill.
 Chandler, William E., Concord, N. H.
 Chanler, Lewis Stuyvesant, New York, N. Y.
 Channing, Henry Morse, Boston, Mass.
 Chapin, Frederick E., Washington, D. C.
 Chaplin, Carroll S., Portland, Me.
 Chapman, Francis, Philadelphia, Pa.
 Chapman, James W., Jr., Baltimore, Md.
 Chapman, John B., Cleveland, Ohio.
 Chapman, O. J., Kansas City, Mo.
 Chapman, S. Spencer, Philadelphia, Pa.
 Chapman, Theodore, Chicago, Ill.
 Chapman, Wilford G., Portland, Me.
 Chappell, Fred L., Kalamazoo, Mich.
 Chappuis, Philip J., Crowley, La.
 Charles, Benjamin H., St. Louis, Mo.
 Charles, Elmer E., Warsaw, N. Y.

- Charlton, Walter G., Savannah, Ga.
 Chase, Emory A., Catskill, N. Y.
 Chase, George, New York, N. Y.
 Chase, Guy, St. Paul, Minn.
 Chase, Herbert M., Boston, Mass.
 Chase, John B., Oconto, Wis.
 Chase, Nathan H., Minneapolis, Minn.
 Chase, Warren D., Hartford, Conn.
 Chastain, Edward S., Atlanta, Ga.
 Chatfield, Thomas L., Brooklyn, N. Y.
 Cheadle, J. B., Chicago, Ill.
 Cheever, Dwight B., Chicago, Ill.
 Cheney, Asro E., Reno, Nev.
 Cheney, George Nelson, Syracuse, N. Y.
 Cheney, Jerome L., Syracuse, N. Y.
 Cheney, L. H., Stockville, Nebr.
 Cheney, Warren J., Corning, N. Y.
 Cherry, U. S. G., Sioux Falls, S. D.
 Cherry, William J., Rock Hill, S. C.
 Chessnut, W. Calvin, Baltimore, Md.
 Chew, Samuel, Philadelphia, Pa.
 Chichester, Cassius M., Richmond, Va.
 Chickering, Arthur P., Boston, Mass.
 Chickering, W. H., San Francisco, Cal.
 Child, Francis, Jr., Newark, N. J.
 Child, S. R., Minneapolis, Minn.
 Childs, Clarence H., Minneapolis, Minn.
 Childs, Edwards H., New York, N. Y.
 Childs, Frank Hall, Chicago, Ill.
 Childs, Louis M., Norristown, Pa.
 Chilton, George, Beaumont, Texas.
 Chilton, William Edwin, Charleston, W. Va.
 China, William J., Colorado Springs, Colo.
 Chipperfield, B. M., Canton, Ill.
 Chipman, George E., Chicago, Ill.
 Chirung, Isidore S., New York, N. Y.
 Chiselm, Wm. Wallace, Huntingdon, Pa.
 Chittick, Henry R., New York, N. Y.
 Chitty, William, Chicago, Ill.
 Choate, Charles F., Jr., Boston, Mass.
 Choate, Joseph H., New York, N. Y.
 Choate, Ward N., Detroit, Mich.
 Chormann, Frederick, Niagara Falls, N. Y.
 Chretien, Frank D., New Orleans, La.
 Chrisman, Charles E., Ortonville, Minn.
 Christian, Frank P., Lynchburg, Va.
 Christian, Frank S., Philadelphia, Pa.
 Christianson, A. M., Bismarck, N. D.
 Christopherson, Chas. A., Sioux Falls, S. Dakota.
 Christy, John W., Salt Lake City, Utah.
 Chrystie, Einar, New York, N. Y.
 Chrystie, T. Ludlow, New York, N. Y.
 Church, Elliott Bradford, Boston, Mass.
 Church, Frederick F., Rochester, N. Y.
 Church, Melville, Washington, D. C.
 Church, Melville D., Washington, D. C.
 Church, Ulysses G., Waterbury, Conn.
 Churchill, Alexander L., Providence, R. I.
 Churchill, Edmund J., Denver, Colo.
 Churchill, Irwin A., Huron, S. D.
 Churchill, William H., Milwaukee, Wis.
 Chytraus, Axel, Chicago, Ill.
 Cist, Charles M., Cincinnati, Ohio.
 Clagett, Charles W. (Washington, D. C.), Hyattsville, Md.
 Claggett, L. B. Keene, Baltimore, Md.
 Claiborne, Charles F., New Orleans, La.
 Clancy, Frank W., Santa Fe, N. M.
 Clapham, William E., Fort Wayne, Ind.
 Clapp, Newel H., St. Paul, Minn.
 Clapp, Robert P., Lexington, Mass.
 Clapperton, George, Grand Rapids, Mich.
 Clare, William F., New York, N. Y.
 Clark, Alfred E., Portland, Ore.
 Clark, Champ, Bowling Green, Mo.
 Clark, Chase A., Mackey, Idaho.
 Clark, Chester W., Boston, Mass.
 Clark, Clarence D., Evanston, Wyo.
 Clark, E. S., Prescott, Ariz.
 Clark, Elmer C., Oswego, Kan.
 Clark, Frederic L., Philadelphia, Pa.
 Clark, Frederic Wilson, Trinidad, Colo.
 Clark, Gaylord Lee, Baltimore, Md.
 Clark, Grenville, New York, N. Y.
 Clark, Henry Wallace, New York, N. Y.
 Clark, Herbert W., East Las Vegas, N. M.
 Clark, Homer C., Neillsville, Wis.
 Clark, Homer P., St. Paul, Minn.
 Clark, Hugo, Bangor, Me.
 Clark, I. E., Boston, Mass.
 Clark, J. Reuben, Jr., Washington, D. C.
 Clark, Jefferson, New York, N. Y.
 Clark, John Abbot, Cameron, Mo.
 Clark, John D., Cheyenne, Wyo.
 Clark, Joseph H., Detroit, Mich.
 Clark, Joseph S., Philadelphia, Pa.
 Clark, Lincoln R., Washington, D. C.
 Clark, Lyman K., Boston, Mass.
 Clark, Martin, Buffalo, N. Y.
 Clark, Orlando E., Appleton, Wis.
 Clark, W. A., Virginia City, Mont.
 Clark, Walter L., Baltimore, Md.
 Clark, Washington, Columbia, S. C.
 Clarke, Arthur F., Boston, Mass.
 Clarke, Knos, St. Louis, Mo.
 Clarke, George Lemist, Boston, Mass.
 Clarke, Henry L., Chicago, Ill.
 Clarke, Henry Martyn, Boston, Mass.
 Clarke, John H., Cleveland, Ohio.
 Clarke, John J., Philadelphia, Pa.
 Clarke, R. Floyd, New York, N. Y.
 Clarke, Samuel B., New York, N. Y.
 Classen, Philip L., Albany, N. Y.
 Clay, Buckner, Charleston, W. Va.

- Clay, George S., New York, N. Y.
 Clay, William Law, Savannah, Ga.
 Clay, William Rogers, Frankfort, Ky.
 Clearwater, Alphonso T., Kingston, N. Y.
 Clearland, Livingston W., New Haven, Conn.
 Clement, Charles M., Sunbury, Pa.
 Clement, Edward E., Washington, D. C.
 Clement, L. H., Salisbury, N. C.
 Clement, Samuel M., Jr., Philadelphia, Pa.
 Clements, Francis W., Washington, D. C.
 Clementson, George, Lancaster, Wis.
 Clemons, Charles F., Honolulu, Hawaii.
 Clemson, Charles O., Westminster, Md.
 Clephane, Walter O., Washington, D. C.
 Cleveland, Chester E., Chicago, Ill.
 Cleveland, E. J., Canton, Pa.
 Clevenger, Frank M., Wilmington, Ohio.
 Clevenger, William M., Atlantic City, N. J.
 Clifford, Charles W., New Bedford, Mass.
 Clifford, Philip G., Portland Me.
 Clifton, John W., Washington, D. C.
 Clinch, Edward S., New York, N. Y.
 Cline, J. D., Lake Charles, La.
 Cline, William R., Erie, Kans.
 Clingman, Ord, Lawrence, Kans.
 Clippinger, W. W., Cincinnati, Ohio.
 Clithero, Delbert A., Chicago, Ill.
 Close, Philip H., Bel Air, Md.
 Coady, Charles P., Baltimore, Md.
 Cookley, Daniel H., Boston, Mass.
 Coale, George O. G., Boston, Mass.
 Coan, Francis P., Perth Amboy, N. J.
 Coats, H. P., Saranac Lake, N. Y.
 Coatsworth, Edward E., Buffalo, N. Y.
 Cobb, A. Ward, New York, N. Y.
 Cobb, Albert C., Minneapolis, Minn.
 Cobb, Andrew J., Athens, Ga.
 Cobb, John H., Juneau, Alaska.
 Cobb, M. S., Hot Springs, Ark.
 Cobb, Orris P., Cincinnati, Ohio.
 Cobb, W. Bruce, New York, N. Y.
 Cobb, William H., Elkins, W. Va.
 Cobb, William P., Tuskegee, Ala.
 Cobbs, Thomas H., St. Louis, Mo.
 Cochran, A. A., Chester, Pa.
 Cochran, Alexander G., St. Louis, Mo.
 Cochran, Andrew M. J., Maysville, Ky.
 Cochran, Ernest F., Anderson, S. C.
 Cochran, Richard E., York, Pa.
 Cochran, Thomas Cunningham, Mercer, Pa.
 Cochran, William D., Maysville, Ky.
 Cochrane, J. W. S., Cumberland, Md.
 Cocks, Lucian H., Roanoke, Va.
 Cockerill, O. P., Seattle, Wash.
 Cockran, W. Bourke, New York, N. Y.
 Cockrell, A. W., Jr., Jacksonville, Fla.
 Cockrell, Alston, Jacksonville, Fla.
 Cockrill, Ashley, Little Rock, Ark.
 Cockrum, John B., Indianapolis, Ind.
 Coco, Adolph Valery, Marksville, La.
 Cody, Frank M., Philadelphia, Pa.
 Coe, Walter E., New York, N. Y.
 Coe, Ward B., Baltimore, Md.
 Coffey, Charles S., Chattanooga, Tenn.
 Coffin, George F., Easton, Pa.
 Coffin, Herbert Lawton, New York, N. Y.
 Cohalan, John P., New York, N. Y.
 Cohen, Abraham K., Boston, Mass.
 Cohen, Alfred M., Cincinnati, Ohio.
 Cohen, Harvey J., New York, N. Y.
 Cohen, Julius Henry, New York, N. Y.
 Cohen, Myer, Washington, D. C.
 Cohen, William N., New York, N. Y.
 Cohn, Eugene, New York, N. Y.
 Cohn, Julius Hilbert, New York, N. Y.
 Cohn, Morris M., Little Rock, Ark.
 Coke, Alex. S., Dallas, Texas.
 Coke, Henry C., Dallas, Texas.
 Coke, James L., Oakland, Cal.
 Colahan, John Barry, Jr., Philadelphia, Pa.
 Colbert, Michael J., Washington, D. C.
 Colburn, A. O., Spokane, Wash.
 Colby, Bainbridge, New York, N. Y.
 Colby, James F., Hanover, N. H.
 Cole, Charles D. M., New York, N. Y.
 Cole, Clarence L., Atlantic City, N. J.
 Cole, Edward F., Waterbury, Conn.
 Cole, Harry J., Haverhill, Mass.
 Cole, Vernon, Buffalo, N. Y.
 Coleman, Benjamin W., Carson City, Nev.
 Coleman, Charles T., Little Rock, Ark.
 Coleman, George S., New York, N. Y.
 Coleman, J. A., Everett, Wash.
 Coleman, J. T., Lynchburg, Va.
 Coleman, John Burlinson, New York, N. Y.
 Coleman, Lewis Minor, Chattanooga, Tenn.
 Coleman, Phares, Birmingham, Ala.
 Coleman, William C., Baltimore, Md.
 Coleman, W. F., Pine Bluff, Ark.
 Coleman, William M., New York, N. Y.
 Coles, Walter D., St. Louis, Mo.
 Collie, Edward M., Newark, N. J.
 Colladay, Edward F., Washington, D. C.
 Collier, Frederick J., Hudson, N. Y.
 Collier, Luther T., Kansas City, Mo.
 Collin, Frederick, Elmira, N. Y.
 Collins, Cadwallader J., Norfolk, Va.
 Collins, Charles Cummings, St. Louis, Mo.
 Collins, Cornelius R., Michigan City, Ind.
 Collins, David T., Hibbing, Minn.
 Collins, Edgar G., Lafayette, Ind.

- Collins, Gilbert, Jersey City, N. J.
 Collins, James C., Providence, R. I.
 Collins, Lawrence J., Buffalo, N. Y.
 Collins, Robert E., St. Louis, Mo.
 Collins, W. B., Keokuk, Iowa.
 Colston, Edward, Cincinnati, Ohio.
 Colston, Frederick C., Baltimore, Md.
 Colt, James D., Boston, Mass.
 Colt, LeBaron B., Providence, R. I.
 Colton, Henry E., Washington, D. C.
 Combs, Lee, Valley City, N. D.
 Comegys, Cornelius, Scranton, Pa.
 Comer, Charles P., St. Louis, Mo.
 Comerford, Frank, Chicago, Ill.
 Comfort, F. V., Stillwater, Minn.
 Commander, Charles E., Florence, S. C.
 Comstock, Richard B., Providence, R. I.
 Conant, Ernest B., Manila, P. I.
 Conant, George A., Hartford, Conn.
 Conboy, Martin, New York, N. Y.
 Condee, Leander D., Chicago, Ill.
 Conder, Earl R., Indianapolis, Ind.
 Condit, J. Sidney, Chicago, Ill.
 Condo, Gus S., Marion, Ind.
 Condon, James G., Chicago, Ill.
 Congdon, Chester A., Duluth, Minn.
 Congdon, I. E., Omaha, Nebr.
 Conley, John M., Beaumont, Texas.
 Conley, William G., Charleston, W. Va.
 Conn, H. L., Van Wert, Ohio.
 Connell, Joseph A., Chicago, Ill.
 Connellan, John H., Philadelphia, Pa.
 Conner, Benjamin H., Paris, France.
 Connor, Henry G., Wilson, N. C.
 Connor, James E., New Haven, Conn.
 Conrad, Henry C., Georgetown, Del.
 Conrad, W. N., Brookville, Pa.
 Constable, Albert, Elkton, Md.
 Conway, Thomas F., New York, N. Y.
 Conway, William J., Grand Rapids, Wis.
 Coogan, T. C., San Francisco, Cal.
 Cook, Alfred A., New York, N. Y.
 Cook, Charles Sumner, Portland, Me.
 Cook, E. A., Lexington, Nebr.
 Cook, E. S., Cleveland, Ohio.
 Cook, Elmer J., Towson, Md.
 Cook, Harry E., Lake Village, Ark.
 Cook, J. William, Crane, Mo.
 Cook, Otis Seabury, New Bedford, Mass.
 Cook, S. C., Jackson, Miss.
 Cook, Samuel E., Huntington, Ind.
 Cook, W. B. M., Montgomery City, Mo.
 Cook, Wells M., Chicago, Ill.
 Cooke, Hedley V., New York, N. Y.
 Cooke, Herman R., Tonopah, Nev.
 Cooke, Levi, Washington, D. C.
 Cooke, Robert B., Chattanooga, Tenn.
 Cooke, Walter P., Buffalo, N. Y.
 Cooley, Charles M., Grand Forks, N. D.
 Cooley, Roger W., Grand Forks, N. D.
 Coolidge, A. G., Rutland, Vt.
 Coolidge, William H., Boston, Mass.
 Coon, Claude L., New York, N. Y.
 Cooper, Armwell L., Kansas City, Mo.
 Cooper, Bernard S., Chicago, Ill.
 Cooper, Drury W., New York, N. Y.
 Cooper, George P., Huntsville, Ala.
 Cooper, Howard M., Camden, N. J.
 Cooper, James A., Jr., Terre Haute, Ind.
 Cooper, Lawrence, Huntsville, Ala.
 Cooper, Ransom, Great Falls, Mont.
 Cooper, Robin J., Nashville, Tenn.
 Cooper, S. Ira, Passaic, N. J.
 Cooper, Samuel W., Philadelphia, Pa.
 Cooper, William F., Tucson, Ariz.
 Copeland, Mark A., Cleveland, Ohio.
 Coppock, Charles T., Cincinnati, Ohio.
 Corbet, Burke, San Francisco, Cal.
 Corbett, Joseph J., Boston, Mass.
 Corbin, J. Arthur, New York, N. Y.
 Corbitt, James H., Suffolk, Va.
 Corcoran, Declan W., Boston, Mass.
 Corey, Fred D., Buffalo, N. Y.
 Corliss, John B., Detroit, Mich.
 Cornell, Edward, New York, N. Y.
 Cornish, Abram H., Newark, N. J.
 Cornish, Lealie O., Augusta, Me.
 Cornwell, John J., Romney, W. Va.
 Cornwell, Robert T., West Chester, Pa.
 Corrigan, Walter D., Milwaukee, Wis.
 Corthell, Nellis E., Laramie, Wyo.
 Corwin, John B., Newburgh, N. Y.
 Corwin, Robert G., Dayton, Ohio.
 Cosgrove, Delos M., Watertown, N. Y.
 Cosgrove, John J., Providence, R. I.
 Coshaw, O. P., Roseburg, Ore.
 Cosson, George, Des Moines, Iowa.
 Cossum, Charles F., Poughkeepsie, N. Y.
 Costello, Stephen V., San Francisco, Cal.
 Costigan, Edward P., Denver, Col.
 Costigan, George P., Jr., Chicago, Ill.
 Costigan, Thomas, New York, N. Y.
 Coston, J. T., Osceola, Ark.
 Cotham, Calvin T., Hot Springs, Ark.
 Cotter, James E., Boston, Mass.
 Cotter, Thomas B., Plattsburgh, N. Y.
 Cotteral, John H., Guthrie, Okla.
 Cottom, Harry A., Brownsville, Pa.
 Cotton, Joseph B., Duluth, Minn.
 Cotton, Joseph P., New York, N. Y.
 Cotton, William W., Portland, Oregon.
 Coudert, Frederic R., New York, N. Y.
 Coughlin, James T., New York, N. Y.
 Coughlin, John T., Fall River, Mass.
 Coulomb, H. R., Atlantic City, N. J.
 Coult, Joseph, Newark, N. J.

Countryman, Robert H., San Francisco, Cal.
 Courtney, Henry A., Duluth, Minn.
 Courtney, Thomas E., Cortland, N. Y.
 Couse, Howard A., Cleveland, Ohio.
 Covington, George Bishop, New York, N. Y.
 Covington, J. Harry, Washington, D. C.
 Cowan, Coleman C., Sylva, N. C.
 Cowen, Israel, Chicago, Ill.
 Cowin, John C., Omaha, Neb.
 Cox, Arthur M., Chicago, Ill.
 Cox, Attila, Jr., Louisville, Ky.
 Cox, Charles E., Indianapolis, Ind.
 Cox, Eugene A., Lewiston, Idaho.
 Cox, Guy W., Boston, Mass.
 Cox, M. G., Cameron, Texas.
 Cox, Robert Lynn, New York, N. Y.
 Cox, Stephen J., New York, N. Y.
 Cox, T. M., Beeville, Tex.
 Cox, William J., Madisonville, Ky.
 Cox, William Ruffin, Richmond, Va.
 Cox, Alfred C., New York, N. Y.
 Cox, Macgrane, New York, N. Y.
 Coyne, Bartholomew Bernard, New York, N. Y.
 Crafts, Clayton Edward, Chicago, Ill.
 Craig, E. L., Columbia, S. C.
 Craig, G. Ray, Norwalk, Ohio.
 Craig, Gavin W., Los Angeles, Cal.
 Craig, John E., Keokuk, Iowa.
 Craig, William T., Los Angeles, Cal.
 Craige, Burton, Winston-Salem, N. C.
 Craighead, Charles A., Dayton, Ohio.
 Crain, Robert, Baltimore, Md.
 Cram, Henry C., Providence, R. I.,
 Cramer, Nelson B., Cincinnati, Ohio.
 Crane, Albert (New York, N. Y.),
 Stamford, Conn.
 Crane, Alexander B., New York, N. Y.
 Crane, Douglas B., Oklahoma City, Okla.
 Crane, Frederick E., Brooklyn, N. Y.
 Crane, Jay W., Minneapolis, Minn.
 Crane, M. M., Dallas, Texas.
 Crane, R. C., Sweetwater, Texas.
 Crane, Thomas D., Omaha, Neb.
 Crapo, William W., New Bedford, Mass.
 Cratty, Josiah, Chicago, Ill.
 Gravath, Paul D., New York, N. Y.
 Craven, Bruce, Trinity, N. C.
 Craven, Thomas F., Williston, N. D.
 Cravens, W. M., Fort Smith, Ark.
 Crawford, Coe I., Huron, S. D.
 Crawford, Frank L., New York, N. Y.
 Crawford, Harry J., Cleveland, Ohio.
 Crawford, John H., Arkadelphia, Ark.
 Crawford, John J., New York, N. Y.
 Crawford, John T. G., Jacksonville, Fla.

Crawford, Mark, Portsmouth, Ohio.
 Crawford, Walter J., Beaumont, Texas.
 Crawford, William W., Louisville, Ky.
 Creason, Goodwin, Kansas City, Mo.
 Creed, W. E., San Francisco, Cal.
 Creekmore, H. H., Water Valley, Miss.
 Cressy, Morton S., Chicago, Ill.
 Crews, Ralph, Chicago, Ill.
 Crews, Thomas B., St. Louis, Mo.
 Crider, John H., Ft. Scott, Kans.
 Critchlow, Edward B., Salt Lake City, Utah.
 Crites, Albert W., Chadron, Nebr.
 Crites, Edwin D., Chadron, Nebr.
 Crocker, Frank L., Portsmouth, Va.
 Crocker, William D., Williamsport, Pa.
 Crockett, A. P., Oklahoma City, Okla.
 Crockett, R. H., Franklin, Tenn.
 Crofoot, Lodowick F., Omaha, Neb.
 Crogan, P. J., Kingwood, W. Va.
 Cromer, George B., Newberry, S. C.
 Cronin, Charles I., Philadelphia, Pa.
 Crook, W. M., Beaumont, Tex.
 Cropsey, James C., Brooklyn, N. Y.
 Crosby, Harley N., Falconer, N. Y.
 Crosby, J. Porter, Boston, Mass.
 Crosby, John C., Pittsfield, Mass.
 Crosby, Samuel H., Grinnell, Iowa.
 Crosby, Wilson G., Duluth, Minn.
 Crossley, Ferdinand S., New York, N. Y.
 Cross, J. E., Newton, Iowa.
 Cross, John Emory, Baltimore, Md.
 Cross, T. Jones, Baton Rouge, La.
 Cross, William Irvine, Baltimore, Md.
 Crossley, Frederic B., Chicago, Ill.
 Crouch, Larkin E., Nashville, Tenn.
 Crovatt, A. J., Brunswick, Ga.
 Crow, Benjamin S., Salt Lake City, Utah.
 Crow, George A., East St. Louis, Ill.
 Crow, Herman D., Olympia, Wash.
 Crowder, Enoch H., Washington, D. C.
 Crowder, R. W., Covington, Va.
 Crowell, Robert H., Cleveland, Ohio.
 Crowley, Clarence A., Council Grove, Kans.
 Crowley, Edward Chase, New York, N. Y.
 Crowley, Jere J., Philadelphia, Pa.
 Orlukshank, Alfred B., New York, N. Y.
 Orum, B. P., Montgomery, Ala.
 Orum, D. A. R., Oorle, Ga.
 Grump, Beverly T., Richmond, Va.
 Cruse, George E., New York, N. Y.
 Crutcher, Albert, Los Angeles, Cal.
 Cuddeback, William H., Buffalo, N. Y.
 Cukor, Morris, New York, N. Y.
 Culbertson, Horace J., Lewistown, Pa.
 Culkin, William E., Duluth, Minn.
 Cull, Roger W., Baltimore, Md.
 Cullen, Edgar M., Brooklyn, N. Y.

- Cullen, P. H., St. Louis, Mo.
 Cullen, W. E., Spokane, Wash.
 Culver, Frederic, New York, N. Y.
 Culver, M. Eugene, Middletown, Conn.
 Culver, Morton T., Chicago, Ill.
 Cumming, Benjamin W., Jr., Pottsville, Pa.
 Cumming, E. D., Deposit, N. Y.
 Cumming, Joseph B., Augusta, Ga.
 Cummings, Campbell, St. Louis, Mo.
 Cummings, Charles R., Fall River, Mass.
 Cummings, Homer S., Stamford, Conn.
 Cummins, Albert B. (Washington, D. C.)
 Des Moines, Iowa.
 Cummins, Alva M., Lansing, Mich.
 Cunnea, William A., Chicago, Ill.
 Cunningham, C. A., Blytheville, Ark.
 Cunningham, Frederic, Boston, Mass.
 Cunningham, George A., Evansville, Ind.
 Cunningham, Henry C., Savannah, Ga.
 Cunningham, J. E. B., Harrisburg, Pa.
 Cunningham, M. O., Omaha, Nebr.
 Cunningham, Martin J., Danbury, Conn.
 Cunningham, Robert H., Paterson, N. J.
 Cunningham, T. M., Jr., Savannah, Ga.
 Curl, A., Hot Springs, Ark.
 Curlee, Francis M., St. Louis, Mo.
 Curley, Charles F., Wilmington, Del.
 Curley, Frank E., Tucson, Ariz.
 Curran, A. J., Pittsburg, Kans.
 Curran, John F., Enid, Okla.
 Curran, John P., Pittsburg, Kan.
 Curran, William R., Pekin, Ill.
 Currie, Dwight D., St. Louis, Mo.
 Currier, Guy W., Boston, Mass.
 Currier, Richard D., Newark, N. J.
 Curtis, Charles, Topeka, Kans.
 Curtis, Charles M., Wilmington, Del.
 Curtis, Frank C., Troy, N. Y.
 Curtis, Harry C., Providence, R. I.
 Curtis, Howard J., Stratford, Conn.
 Curtis, W. J., New York, N. Y.
 Curtis, William Edmond, New York, N. Y.
 Curtis, William S., St. Louis, Mo.
 Cushing, C. S., San Francisco, Cal.
 Cushing, Grafton D., Boston, Mass.
 Cushing, Harry Alonso, New York, N. Y.
 Cushing, John J., New York, N. Y.
 Cushing, Livingston, Boston, Mass.
 Cushing, O. K., San Francisco, Cal.
 Cushing, William E., Cleveland, Ohio.
 Cushman, A. V., Washington, D. C.
 Cushman, Edward E., Tacoma, Wash.
 Cushman, Meyer B., New York, N. Y.
 Cusick, John F., Boston, Mass.
 Cuthbert, Frederic T., Devils Lake, N. D.
 Cuthbert, Lucius M., Denver, Col.
 Cutrer, John W., Clarksdale, Miss.
 Cutting, Charles S., Chicago, Ill.
 Curviller, Louis A., New York, N. Y.
 Cuyler, Thomas DeWitt, Philadelphia, Pa.
 Daggett, Leonard M., New Haven, Conn.
 Dagnall, A. H., Anderson, S. C.
 Dahlgren, John B., Washington, D. C.
 Dahlinger, Charles W., Pittsburgh, Pa.
 Dahlman, Louis A., Milwaukee, Wis.
 Daily, Harry P., Fort Smith, Ark.
 Daish, John B., Denver, Colo.
 Daix, Augustus F., Jr., Philadelphia, Pa.
 Dale, Horatio F., Des Moines, Iowa.
 Dale, W. Pratt, Louisville, Ky.
 Daley, A. F., Wrightsville, Ga.
 Daley, Andrew J., Luverne, Minn.
 Dall, Cornelius G., San Francisco, Cal.
 Dallinger, Frederick W., Boston, Mass.
 Dalrymple, George H., Passaic, N. J.
 Dalton, Carter, High Point, N. C.
 Dalton, William Reid, Reidsville, N. C.
 Daly, Edward Hamilton, New York, N. Y.
 Daly, Joseph F., New York, N. Y.
 Daly, Peter F., New Brunswick, N. J.
 Daly, T. M., Philadelphia, Pa.
 Dalsell, John, Washington, D. C.
 Dalsell, William S., Pittsburgh, Pa.
 Dana, J. Howard, Denver, Colo.
 Dana, Richard F., New Castle, Pa.
 Dana, Richard H., Cambridge, Mass.
 Dana, Samuel W., New Castle, Pa.
 Danaher, Franklin M., Albany, N. Y.
 Danaher, Michael B., Ludington, Mich.
 Dancer, Herbert A., Duluth, Minn.
 D'Ancona, Edward N., Chicago, Ill.
 Daney, Eugene, San Diego, Cal.
 Danforth, George J., Sioux Falls, S. D.
 Daniels, Edward, Indianapolis, Ind.
 Daniels, Francis B., Chicago, Ill.
 Dannehower, William F., Norristown, Pa.
 Dannenbaum, Henry J., Houston, Texas.
 Danson, E. J., Spokane, Wash.
 Danziger, Alfred David, New Orleans, La.
 D'Arcy, Edward, St. Louis, Mo.
 Dargan, W. F., Darlington, S. C.
 Darling, Charles K., Boston, Mass.
 Darling, Thomas, Wilkes-Barre, Pa.
 Darlington, George E., Media, Pa.
 Darnall, R. Bennett, Baltimore, Md.
 Darrach, Henry, Philadelphia, Pa.
 Darragh, Robert W., Beaver, Pa.
 Darroch, William, Kentland, Ind.
 Darrow, Fred. E. W., Saugerties, N. Y.
 Dart, Henry P., New Orleans, La.
 Dart, Henry Planche, Jr., New Orleans, La.
 Dart, Wm. Kernan, New Orleans, La.
 Dashiell, A. H., Terrell, Tex.

Dassler, C. F. W., Leavenworth, Kans.
 d'Autremont, Charles, Jr., Duluth, Minn.
 Davenport, Charles M., Boston, Mass.
 Davenport, Daniel, Bridgeport, Conn.
 Davenport, James S., Vinita, Okla.
 Davey, John C., Jr., New Orleans, La.
 David, Joseph B., Chicago, Ill.
 Davidson, B. R., Fayetteville, Ark.
 Davidson, John W., Pueblo, Colo.
 Davidson, Robert F., Indianapolis, Ind.
 Davidson, Samuel P., Tecumseh, Neb.
 Davidson, Theodore F., Asheville, N. C.
 Davidson, Thomas E., Greensburg, Ind.
 Davies, John E., Twin Falls, Idaho.
 Davies, John R., New York, N. Y.
 Davies, Joseph E., Washington, D. C.
 Davies, Julien T., New York, N. Y.
 Davila, Felix Cordova, San Juan, P. R.
 Davis, Abraham M., New York, N. Y.
 Davis, Albert G., Schenectady, N. Y.
 Davis, Brode B., Chicago, Ill.
 Davis, Carl A., Boise, Idaho.
 Davis, Charles, Philadelphia, Pa.
 Davis, Charles A., Fairfax, S. D.
 Davis, Charles Hall, Petersburg, Va.
 Davis, Claude A., Ord, Nebr.
 Davis, Dabney C. T., Jr., Charleston, W. Va.
 Davis, David T., New York, N. Y.
 Davis, Ewin L., Tullahoma, Tenn.
 Davis, George A., Honolulu, Hawaii.
 Davis, George N., Portland, Ore.
 Davis, Harold S., Boston, Mass.
 Davis, Harrison M., Boston, Mass.
 Davis, Harry C., Denver, Col.
 Davis, Henry E., Florence, S. C.
 Davis, Henry E., Washington, D. C.
 Davis, Horace W., Sharon, Pa.
 Davis, Hugh W., Norfolk, Va.
 Davis, J. Lionberger, St. Louis, Mo.
 Davis, J. McCann, Springfield, Ill.
 Davis, James C., Des Moines, Iowa.
 Davis, John, Dallas, Tex.
 Davis, John A., Kosciusko, Miss.
 Davis, John C., Ogden, Utah.
 Davis, John F., San Francisco, Cal.
 Davis, John W. (Washington, D. C.),
 Clarkburg, W. Va.
 Davis, John W., Greensburg, Kans.
 Davis, Junius, Wilmington, N. C.
 Davis, M. M., Reynoldsville, Pa.
 Davis, Manton, St. Louis, Mo.
 Davis, Robert C., Fall River, Mass.
 Davis, Robert E., Gainesville, Fla.
 Davis, Samuel, Marshall, Mo.
 Davis, Samuel A., Danbury, Conn.
 Davis, Staige, Charleston, W. Va.
 Davis, Stephen B., Jr., East Las Vegas,
 N. Mex.

Davis, Sydney B., Terre Haute, Ind.
 Davis, Theron, New York, N. Y.
 Davis, Thomas A., Orange, N. J.
 Davis, Thomas J., Duluth, Minn.
 Davis, Thomas W., Wilmington, N. C.
 Davis, Tom, Marshall, Minn.
 Davis, Vernon M., New York, N. Y.
 Davis, Walter M., Iowa City, Iowa.
 Davis, Walter W. (New York, N. Y.),
 Leadville, Colo.
 Davis, William A., Philadelphia, Pa.
 Davis, William O., Versailles, Ky.
 Davis, Wm. Potter, Jr., Philadelphia, Pa.
 Davis, Wm. Ralph, New York, N. Y.
 Davis, William T., Pineville, Ky.
 Davison, Alfred T., Brooklyn, N. Y.
 Davison, Charles Stewart, New York,
 N. Y.
 Davison, Clarence S., Tarrytown, N. Y.
 Davison, Oscar F., Dayton, Ohio.
 Dawes, Chester M., Chicago, Ill.
 Dawes, Hamilton Miller, New York, N. Y.
 Dawkins, Walter L., Baltimore, Md.
 Dawley, Jay P., Cleveland, Ohio.
 Dawson, Clyde C., Denver, Col.
 Dawson, John Gilmer, Kinston, N. C.
 Dawson, John S., Topeka, Kans.
 Dawson, Miles H., New York, N. Y.
 Dawson, William H., Baltimore, Md.
 Dawson, Wm. Sherman, Spokane, Wash.
 Day, Curtis L., Pender, Nebr.
 Day, E. C., Helena, Mont.
 Day, Edward A., Newark, N. J.
 Day, Edward M., Hartford, Conn.
 Day, Harry G., New Haven, Conn.
 Day, Luther, Cleveland, Ohio.
 Day, Sherman, New York, N. Y.
 Day, Stephen Albion, Chicago, Ill.
 Day, William A., New York, N. Y.
 Day, William L., East Cleveland, Ohio.
 Day, William R. (Washington, D. C.),
 Canton, Ohio.
 Day, William T., Newark, N. J.
 Dayton, Alston G., Philippi, W. Va.
 Dayton, Arthur S., Philippi, W. Va.
 Dean, Charles Ray, Washington, D. C.
 Dean, George C., New York, N. Y.
 Dean, John S., Topeka, Kans.
 Dean, Josiah S., Boston, Mass.
 Dean, Oliver H., Kansas City, Mo.
 DeAngelia, Pascal C. J., Utica, N. Y.
 Deasy, Luere B., Bar Harbor, Me.
 Deatherage, B. F., Kansas City, Mo.
 Deavitt, Edward H., Montpelier, Vt.
 Deavitt, Thomas J., Montpelier, Vt.
 Debevoise, Thomas M., New York, N. Y.
 DeBord, William A., Omaha, Nebr.

- DeBruler, Ellis, Seattle, Wash.
 DeCamp, Walter A., Cincinnati, Ohio.
 Decker, Edward Harris, Urbana, Ill.
 Decker, Victor A., Hawley, Pa.
 DeCourcy, Charles A., Lawrence, Mass.
 Dedmon, Perry G., Fort Worth, Texas.
 Deemer, Horace E., Red Oak, Iowa.
 Deemer, Wm. Russell, Williamsport, Pa.
 Deering, Frank P., San Francisco, Cal.
 Deering, Henry, Portland, Me.
 Deery, John, Dubuque, Iowa.
 DeForest, Robert W., New York, N. Y.
 Defrees, Joseph H., Chicago, Ill.
 deFries, Lafayette H., New York, N. Y.
 DeGolia, George E., Oakland, Cal.
 DeHaven, Alex. M., Philadelphia, Pa.
 DeHaven, James, Grangeville, Idaho.
 Deiches, Maurice, New York, N. Y.
 Deiser, George F., Philadelphia, Pa.
 DeKay, Sidney G., New York, N. Y.
 DeKinder, Joseph J., Philadelphia, Pa.
 DeKnight, Clarence W., Washington, D. C.
 DeLacy, George C., New York, N. Y.
 DeLacy, William H., Washington, D. C.
 Delafeld, Frederick P., New York, N. Y.
 Delafield, Lewis L., New York, N. Y.
 DeLamatre, Clayton Wm., Omaha, Nebr.
 De LaMotte, J., San Diego, Cal.
 Delehanty, Francis B., New York, N. Y.
 Delehanty, John A., Albany, N. Y.
 DeLeon, Edwin W., New York, N. Y.
 Delle, Lee C., North Yakima, Wash.
 de Loach, W. B., Camden, S. C.
 DeMartini, Walter J., San Francisco, Cal.
 DeMeules, Edgar A., Muskogee, Okla.
 Deming, John B., Baltimore, Md.
 Deming, William C., Cheyenne, Wyo.
 Demond, Fred. Clarence, Concord, N. H.
 Dempsey, James H., Cleveland, Ohio.
 Demson, Charles S. (Springfield, Ill.),
 Chicago, Ill.
 Denègre, George, New Orleans, La.
 Denègre, Walter D., New Orleans, La.
 Denhard, Augustus M., Baltimore, Md.
 Denis, George J., Los Angeles, Cal.
 Denison, Arthur C., Grand Rapids, Mich.
 Denison, Howard P., Syracuse, N. Y.
 Denman, Frederick H., New York, N. Y.
 Denman, U. G., Toledo, Ohio.
 Denman, William, San Francisco, Cal.
 Denney, Charles H., Fairbury, Nebr.
 Denning, J. Henry, Seattle, Wash.
 Dennis, James Teackle, Woodbrook, Md.
 Dennis, James U., Baltimore, Md.
 Dennis, Jerry, Columbus, Ohio.
 Dennis, Samuel K., Baltimore, Md.
 Dennis, William Oullen, Washington, D. C.
 Dennison, O. S., Pittsburg, Kans.
 Dennison, Joseph A., Boston Mass.
 Denny, J. H., Glasgow, Mo.
 Denny, James W., Baltimore, Md.
 Denson, S. C., San Francisco, Cal.
 Dent, Louis L., Chicago, Ill.
 Dent, S. Hubert, Jr., Montgomery, Ala.
 Dent, Thomas, Chicago, Ill.
 Denu, Albert R., Rapid City, S. D.
 Denvir, John B., Jr., St. Louis, Mo.
 Depew, Chauncey M., New York, N. Y.
 Derby, Charles H., Worcester, Mass.
 Derby, H. S., Sacramento, Cal.
 De Reign, Albert, Benton, Mo.
 DeRoy, Irvin E., Seattle, Wash.
 Derr, Andrew F., Wilkes-Barre, Pa.
 Derr, Cyrus G., Reading, Pa.
 De Santis, Anthony S., Utica, N. Y.
 Deshler, James B., Allentown, Pa.
 de Steiguer, George E., Seattle, Wash.
 Detch, Milton M., Goldfield, Nev.
 Deutsch, Henry, Minneapolis, Minn.
 Devecmon, William C., Cumberland, Md.
 Devereux, Ashton, Philadelphia, Pa.
 DeVine, J. H., Ogden, Utah.
 Devine, Thomas H., Pueblo, Col.
 Devitt, John F., Muscatine, Iowa.
 Devlin, James H., Jr., Boston, Mass.
 DeVore, J. W., Edgefield, S. C.
 DeVries, Marion (Lodi, Cal.), Washington,
 D. C.
 Dewart, Frederick W., Spokane, Wash.
 Dewey, William P., New York, N. Y.
 Dewhurst, William W., St. Augustine, Fla.
 DeWitt, John H., Nashville, Tenn.
 Dexter, Joseph P., So. Framingham, Mass.
 Dexter, Philip, Boston, Mass.
 Dexter, Stanley W., New York, N. Y.
 Dibell, Homer B., St. Paul, Minn.
 Dibrell, J. B., Seguin, Texas.
 Dice, Chas. S., Lewisburg, W. Va.
 Dick, Lewis R., Philadelphia, Pa.
 Dickey, J. M., St. Paul, Minn.
 Dickey, John, Jr., Philadelphia, Pa.
 Dickey, Lyle A., Lihue, Hawaii.
 Dickinson, Charles, Boston, Mass.
 Dickinson, H. D., Minneapolis, Minn.
 Dickinson, Henry A., Cortland, N. Y.
 Dickinson, Howard Carter, New York,
 N. Y.
 Dickinson, J. M., Chicago, Ill.
 Dickinson, John R., Chicago, Ill.
 Dickinson, Joseph R., Reading, Pa.
 Dickinson, Julian G., Detroit, Mich.
 Dickinson, O. B., Chester, Pa.
 Dickinson, O. P., Wilson, N. C.
 Dickson, Dawson D., Angelica, N. Y.
 Dickson, George C., Boston, Mass.
 Dickson, Joseph, Jr., St. Louis, Mo.

- Dickson, W. A., Bentonville, Ark.
 Dickson, William H., Salt Lake City, Utah.
 Diefendorf, Floyd K., New York, N. Y.
 Diehm, Walter, St. Louis, Mo.
 Dietrich, Frank S., Boise, Ida.
 Dietz, Nicholas, Brooklyn, N. Y.
 Digges, W. Mitchell, La Plata, Md.
 Dignan, Thomas, Glasgow, Mont.
 Dillard, F. C., Sherman, Texas.
 Dillard, John H., Murphy, N. C.
 Dillard, W. P., Ft. Scott, Kans.
 Dillaway, Wm. E. L., Boston, Mass.
 Dille, John I., Minneapolis, Minn.
 Dillinger, Dallas, Jr., Allentown, Pa.
 Dillingham, William P., Washington, D. C.
 Dillon, C. W., Fayetteville, W. Va.
 Dillon, Martin J., Galena, Ill.
 Dillon, Richard J., Los Angeles, Cal.
 Dillon, William, Chicago, Ill.
 Dilworth, W. A., Holdrege, Nebr.
 Dines, Orville L., Denver, Col.
 Dines, Tyson S., Denver, Col.
 Dinkelspiel, Henry G., San Francisco, Cal.
 Dinkelspiel, Max, New Orleans, La.
 Dinsmore, James H., Greenville, Texas.
 Dirnberger, M. F., Jr., Buffalo, N. Y.
 Dittenhoefer, A. J., New York, N. Y.
 Dittenhoefer, Irving M., New York, N. Y.
 Dively, Augustus V., Altoona, Pa.
 Dively, Edwin L., Altoona, Pa.
 Diven, Alexander S., Elmira, N. Y.
 Divet, A. G., Wahpeton, N. D.
 Dixon, Edwin S., Philadelphia, Pa.
 Dixon, Huston, Trenton, N. J.
 Dixon, John R., Riverside, Cal.
 Dixon, Samuel G., Philadelphia, Pa.
 Dobler, John J., Baltimore, Md.
 Dobson, Harvey O., Brooklyn, N. Y.
 Dobyns, A. W., Little Rock, Ark.
 Dobyns, Fletcher, Chicago, Ill.
 Dockweiler, Isidore B., Los Angeles, Cal.
 Dodge, Arthur Pillsbury, Freeport, N. Y.
 Dodge, Ernest C., St. Louis, Mo.
 Dodge, Frank L., Lansing, Mich.
 Dodge, Frederic, Boston, Mass.
 Dodge, Fred B., Minneapolis, Minn.
 Dodge, Horace A., Washington, D. C.
 Dodge, Louis L., Minneapolis, Minn.
 Dodge, Robert Gray, Boston, Mass.
 Dodge, William W., Washington, D. C.
 Dodson, J. M., Kansas City, Mo.
 Doe, Edward M., Flagstaff, Ariz.
 Doerfler, Christian, Milwaukee, Wis.
 Doerfler, Samuel, Cleveland, Ohio.
 Doggett, John L., Jacksonville, Fla.
 Doherty, James L., Springfield, Mass.
 Dolan, Arthur W., Boston, Mass.
 Dolan, James C., Gouverneur, N. Y.
 Dolan, Michael D., Chicago, Ill.
 Donahue, Frank Rogers, Philadelphia, Pa.
 Donahue, Joseph Joyce, Boston, Mass.
 Donahue, William H., Oakland, Cal.
 Donald, Malcolm, Boston, Mass.
 Donaldson, Albert E., Baltimore, Md.
 Donaldson, Glenn R., Kansas City, Mo.
 Donaldson, R. Golden, Washington, D. C.
 Donaldson, William Jay, Knoxville, Tenn.
 Donaldson, William R., St. Louis, Mo.
 Donnell, Forrest C., St. Louis, Mo.
 Donnelly, Charles, St. Paul, Minn.
 Donnelly, Edward A., Baltimore, Md.
 Donnelly, Henry D., New York, N. Y.
 Donnelly, James F., New York, N. Y.
 Donnelly, John C., Detroit, Mich.
 Donovan, Richard J., New York, N. Y.
 Donoway, James B., Middlebury, Vt.
 Donworth, Clement B., Machias, Me.
 Donworth, George, Seattle, Wash.
 Donzelmann, Hugo, Cheyenne, Wyo.
 Doocy, Edward, Pittsfield, Ill.
 Doolan, John C., Louisville, Ky.
 Dooley, Edward J., Brooklyn, N. Y.
 Doolittle, H. E., San Diego, Cal.
 Doolittle, H. J., Cleveland, Ohio.
 Doom, D. H., Austin, Texas.
 Doran, James P., New Bedford, Mass.
 Doran, Joseph I., Philadelphia, Pa.
 Doremus, Cornelius, Ridgewood, N. J.
 (Hackensack, N. J.)
 Dorival, Charles A., Oaledonia, Minn.
 Dorman, William E., Lynn, Mass.
 Dorman, William R., New York, N. Y.
 Dorn, Clinton E., Des Moines, Iowa.
 Dorris, John D., Huntingdon, Pa.
 Dorsey, Clayton C., Denver, Col.
 Dorton, Frederick T., Baltimore, Md.
 Dos Passos, John R., New York, N. Y.
 Doub, Albert A., Cumberland, Md.
 Dougherty, J. C., Beeville, Tex.
 Dougherty, J. Hampden, New York, N. Y.
 Dougherty, J. R., Beeville, Tex.
 Douglas, Archibald, New York, N. Y.
 Douglas, Charles A., Washington, D. C.
 Douglas, Edward W., Troy, N. Y.
 Douglas, J. A., Bassett, Nebr.
 Douglas, Lee, Nashville, Tenn.
 Douglas, Robert M., Greensboro, N. C.
 Douglas, Samuel T., Detroit, Mich.
 Douglass, George L., Chicago, Ill.
 Douglass, Shannon C., Kansas City, Mo.
 Dovell, W. T., Seattle, Wash.
 Dowd, Thomas H., Salamanca, N. Y.
 Dowell, Arthur E., Washington, D. C.
 Dowell, Julian C., Washington, D. C.
 Dowell, Osgood H., Washington, D. C.
 Dowling, George J. S., Brooklyn, N. Y.

- Dowling, James L., Moultrie, Ga.
 Dowling, Victor J., New York, N. Y.
 Dowling, William L., Madison, Nebr.
 Downer, Frank M., Jr., Sheridan, Wyo.
 Downer, Sylvester S., Reno, Nev.
 Downes, J. M. N., Buckhannon, W. Va.
 Downey, Francis C., Kansas City, Mo.
 Downing, Charles H., Philadelphia, Pa.
 Downs, Fred L., Medina, N. Y.
 Dowse, Wm. B. H., Boston, Mass.
 Doyle, Dayton A., Akron, Ohio.
 Doyle, John H., Toledo, Ohio.
 Doyle, Leo J., Chicago, Ill.
 Doyle, Louis F., New York, N. Y.
 Doyle, Michael Francis, Philadelphia, Pa.
 Doyle, T. J., Lincoln, Nebr.
 Dozier, Thomas B., San Francisco, Cal.
 Draffen, W. V., Booneville, Mo.
 Drain, James A., Washington, D. C.
 Drake, Frederick S., Philadelphia, Pa.
 Dreeben, Israel, Dallas, Texas.
 Drew, Harold E., Derby, Conn.
 Drinker, Henry S., Jr., Philadelphia, Pa.
 Driscoll, D. J., St. Mary's, Pa.
 Drummond, Josiah H., Portland, Me.
 Dryden, John N., Kearney, Neb.
 Drysdale, Duncan, Lynchburg, Va.
 Duane, Russell, Philadelphia, Pa.
 Dubba, Henry A., Denver, Colo.
 Dubuisson, E. B., Opelousas, La.
 Dubuque, Hugo A., Fall River, Mass.
 Duchamp, Charles A., New Orleans, La.
 Ducker, Edward A., Winnemucca, Nev.
 Duckett, Marion, Washington, D. C.
 Dockett, T. Howard, Bladensburg, Md.
 Dudley, Charles A., Des Moines, Iowa.
 Dudley, Frederick M., Seattle, Wash.
 Dudley, J. B., Norman, Okla.
 Dudley, Sidney J., Hampton, Va.
 Duell, Charles H., New York, N. Y.
 Duffey, Edwin, Cortland, N. Y.
 Duffield, Edward D., Newark, N. J.
 Duffin, James R., Louisville, Ky.
 Duffy, Edward, Baltimore, Md.
 Duffy, Henry, Baltimore, Md.
 Duffy, James P. B., Rochester, N. Y.
 Dufour, H. Generes, New Orleans, La.
 Dufour, William C., New Orleans, La.
 Dugan, Patrick C., Albany, N. Y.
 Dugro, Francis A., New York, N. Y.
 DuLaney, A. D., Ashdown, Ark.
 Dumont, Wayne (New York, N. Y.),
 Paterson, N. J.
 Dunaway, M. E., Little Rock, Ark.
 Dunbar, Frank Emerson, Lowell, Mass.
 Dunbar, James R., Boston, Mass.
 Dunbar, Ralph W., Boston, Mass.
 Dunbar, William H., Boston, Mass.
 Dunbarr, J. M., Columbus, Kans.
 Duncan, John M., San Antonio, Texas.
 Dundon, Denis, Paris, Ky.
 Dungan, T. C., Oregon, Mo.
 Dunham, Braddock H., Omaha, Neb.
 Duniway, Ralph R., Portland, Ore.
 Dunlap, R. F., Hinton, W. Va.
 Dunlap, Robert, Chicago, Ill.
 Dunlop, G. Thomas, Washington, D. C.
 Dunmore, Walter T., Cleveland, Ohio.
 Dunn, Albion, Greenville, N. C.
 Dunn, C. C., Meridian, Miss.
 Dunn, Charles J., Orono, Me.
 Dunn, Clifford E., New York, N. Y.
 Dunn, Henry W., Boston, Mass.
 Dunn, Michael, Paterson, N. J.
 Dunn, Philip J., New York, N. Y.
 Dunn, Robert N., Coeur d'Alene, Idaho.
 Dunn, W. E., Los Angeles, Cal.
 Dunne, Peter F., San Francisco, Cal.
 Dunnett, Alexander, St. Johnsbury, Vt.
 Dunton, Robert F., Belfast, Me.
 Dunwiddie, John D., Monroe, Wis.
 Dupre, H. Garland, New Orleans, La.
 Durand, Lorenzo T., Saginaw, E. S.,
 Mich.
 Durant, Paul D., Milwaukee, Wis.
 Durham, Knowlton, New York, N. Y.
 Durham, L. E., Kansas City, Mo.
 Durment, Edmund S., St. Paul, Minn.
 Dusenbery, Verne D., Roundup, Mont.
 Dustin, Charles W., Dayton, Ohio.
 Dutcher, Charles M., Iowa City, Iowa.
 Dutton, John A., New York, N. Y.
 Dutton, Walter A., Hardwick, Vt.
 Duval, Louis W., Ocala, Fla.
 Duvall, Richard Marceon, Baltimore, Md.
 Duxbury, F. A., Caledonia, Minn.
 Duxbury, W. R., St. Paul, Minn.
 Duy, A. W., Bloomsburg, Pa.
 Dwinnell, W. S., Minneapolis, Minn.
 Dwyer, D. O., Plattsmouth, Nebr.
 Dwyer, John J., New York, N. Y.
 Dwyer, Michael J., Boston, Mass.
 Dyer, David P., St. Louis, Mo.
 Dyer, Isaac W., Portland, Me.
 Dyer, John L., El Paso, Tex.
 Dykman, William N., Brooklyn, N. Y.
 Dymond, John, Jr., New Orleans, La.
 Dynes, O. W., Chicago, Ill.
 Dyrenforth, Philip C., Chicago, Ill.
 Dyrenforth, William H., Chicago, Ill.
 Dymard, H. R., Ashland, Ky.
 Dysart, James, Elko, Nev.
 Eaby, C. Reese, Lancaster, Pa.
 Eakin, Robert, Salem, Ore.
 Eames, Burton E., Boston, Mass.
 Earl, Otis A., Kalamazoo, Mich.
 Earle, Claude B., Anderson, S. C.

Earle, Henry M., New York, N. Y.
 Earle, Wilton H., Greenville, S. C.
 Early, Albert D., Rockford, Ill.
 Early, Marion O., St. Louis, Mo.
 Earp, Wilber F., New York, N. Y.
 Easby-Smith, James S., Washington, D. C.
 Easley, D. M., Bluefield, W. Va.
 Eastburn, Horace G., Wilmington, Del.
 Eastin, Lucien J., St. Joseph, Mo.
 Eastman, Albert N., Chicago, Ill.
 Eastman, E. C., Marinette, Wis.
 Eastman, Samuel C., Concord, N. H.
 Eastman, Sidney C., Chicago, Ill.
 Easton, Charles Philip, New York, N. Y.
 Eaton, Arthur B., Philadelphia, Pa.
 Eaton, B. E., Gulfport, Miss.
 Eaton, John A., Kansas City, Mo.
 Eaton, Leo K., Minneapolis, Minn.
 Eaton, Marquis, Chicago, Ill.
 Eaton, William V., Paducah, Ky.
 Eaves, St. Clair, Greenville, Ky.
 Eby, D. H., Hannibal, Mo.
 Eccles, Royal, Ogden, Utah.
 Echols, Edward, Staunton, Va.
 Echols, John Warnock, Vienna, Va.
 Eckhardt, Percy B., Chicago, Ill.
 Eddy, Arthur J., Chicago, Ill.
 Eddy, Charles B., New York, N. Y.
 Eddy, George Simpson, New York, N. Y.
 Edelen, T. L., Frankfort, Ky.
 Eder, Phanor J., New York, N. Y.
 Edge, Lester P., Spokane, Wash.
 Edgerton, John M., Negaunee, Mich.
 Edgington, George W., Idaho Falls, Idaho.
 Edgington, T. B., Memphis, Tenn.
 Edings, Wm. Seabrook, Walluku, Maui, Hawaii.
 Edison, H. J., Kasson, Minn.
 Edmonds, Franklin S., Philadelphia, Pa.
 Edmonds, Samuel O., New York, N. Y.
 Edmonds, Walter D., New York, N. Y.
 Edmonston, William E., Washington, D. C.
 Edmunds, Henry R., Philadelphia, Pa.
 Edmunds, J. H., Rushville, Nebr.
 Edmunds, James E., Lynchburg, Va.
 Edson, Joseph R., Washington, D. C.
 Edson, Walter H., Falconer, N. Y.
 Edwards, Clarence, Elmhurst, N. Y.
 Edwards, Davis W., Louisville, Ky.
 Edwards, George J. Jr., Philadelphia, Pa.
 Edwards, H. M., Scranton, Pa.
 Edwards, LeRoy M., Los Angeles, Cal.
 Edwards, Marion, Seattle, Wash.
 Edwards O. Ellery, Jr., New York, N. Y.
 Edwards, Peyton F., El Paso, Tex.
 Edwards, Stephen O., Providence, R. I.
 Edwards, Verne D., Kansas City, Mo.

Edwards, William S., Charleston, W. Va.
 Eells, Charles F., San Francisco, Cal.
 Eford, O. M., Lexington, S. C.
 Eggers, Theodore C., St. Louis, Mo.
 Eheim, August W., Chicago, Ill.
 Ehle, Louis C., Chicago, Ill.
 Ehrhorn, Oscar W., New York, N. Y.
 Ehrlich, Manfred William, New York, N. Y.
 Ehrlich, Franz, Jr., Philadelphia, Pa.
 Eichenauer, John B., Pittsburgh, Pa.
 Eichholz, Adolph, Philadelphia, Pa.
 Eickhoff, Henry, San Francisco, Cal.
 Eimerman, Charles H., Philadelphia, Pa.
 Elsner, Michael L., Pittsfield, Mass.
 Ekern, Herman L., Madison, Wis.
 Ela, Emerson, Madison, Wis.
 Elder, Charles B., Chicago, Ill.
 Elder, Charles R., Boston, Mass.
 Elder, Conway, St. Louis, Mo.
 Elder, Irvin C., Chambersburg, Pa.
 Elder, Samuel J., Boston, Mass.
 Eldred, A. G., Warren, Pa.
 Eldredge, Arch Bishop, Marquette, Mich.
 Elgin, Frank S., Memphis, Tenn.
 Elgutter, Charles S., Omaha, Neb.
 Eliot, Amory, Boston, Mass.
 Eliot, Edward C., St. Louis, Mo.
 Elkus, Abram I., New York, N. Y.
 Ellick, Alfred G., Omaha, Neb.
 Eliff, Charles W., Dayton, Ohio.
 Ellinwood, Everett E., Biabee, Ariz.
 Elliot, Albert H., San Francisco, Cal.
 Elliott, Edward Stiles, Savannah, Ga.
 Elliott, James D., Sioux Falls, S. D.
 Elliott, John, New Haven, Conn.
 Elliott, John M., Pine Bluff, Ark.
 Elliott, Milton C., Washington, D. C.
 Elliott, Robert L., Chicago, Ill.
 Elliott, Thomas Ireland, Baltimore, Md.
 Elliott, William, Columbia, S. C.
 Elliott, William F., Indianapolis, Ind.
 Ellis, Daniel B., Denver, Col.
 Ellis, David A., Boston, Mass.
 Ellis, Fred Charles, Milwaukee, Wis.
 Ellis, George W., New York, N. Y.
 Ellis, John W., Ellicottville, N. Y.
 Ellis, Overton G., Olympia, Wash.
 Ellis, Richard A., Barnwell, S. C.
 Ellis, S. D., Amite City, La.
 Ellis, Thomas C. W., New Orleans, La.
 Ellis, Wade H., Washington, D. C.
 Ellis, William S., Philadelphia, Pa.
 Ellison, James, Kansas City, Mo.
 Ellison, William Bruce, New York, N. Y.
 Ellithorp, Elias H., San Luis, Colo.
 Ellsworth, S. E., Jamestown, N. D.
 Elmore, H. H., Lexington, Miss.
 Elsberg, Nathaniel A., New York, N. Y.

- Elae, N. C., Osborne, Kans.
 Elting, Irving, Brookline, Mass.
 Elting, Victor, Chicago, Ill.
 Ely, Frederick D., Dedham, Mass.
 Ely, Henry W., Westfield, Mass.
 Ely, John J., Freehold, N. J.
 Ely, Joseph B., Springfield, Mass.
 Ely, M. G., Jonesville, Va.
 Ely, William B., New Haven, Conn.
 Emanuel, P. A., Aiken, S. C.
 Embery, Joseph R., Philadelphia, Pa.
 Embry, John, Oklahoma City, Okla.
 Emerson, Edgar C., Watertown, N. Y.
 Emerson, George H., New York, N. Y.
 Emery, Frederick L., Boston, Mass.
 Emery, John R., Morristown, N. J.
 Emery, Lucilus A., Ellsworth, Me.
 Eming, Henry A., Iola, Kans.
 Emmons, Arthur C., Portland, Ore.
 Emmons, Harry, Wilmington, Del.
 Emory, German H. H., Baltimore, Md.
 Endelman, Edward, New York, N. Y.
 Endlich, Gustav A., Reading, Pa.
 Endsley, H. S., Johnstown, Pa.
 Engel, Joseph G., New York, N. Y.
 Engerud, Edward, Fargo, N. D.
 England, Howell S., Wilmington, Del.
 Englander, Samuel, Philadelphia, Pa.
 Englehart, Ira P., North Yekima, Wash.
 English, Olover, Newark, N. J.
 English, James P., Omaha, Nebr.
 English, Lee F., Chicago, Ill.
 English, Walter C., Washington, D. C.
 Ennever, Thomas C., New York, N. Y.
 Enright, John J., Burlington, Vt.
 Ensign, Charles S., Jr., Boston, Mass.
 Epes, Allen, Blackstone, Va.
 Epperson, B. H., Ada, Okla.
 Erckmann, H. L., Charleston, S. C.
 Erickson, Alfred O., Chicago, Ill.
 Erlanger, Mitchell L., New York, N. Y.
 Ernst, Richard P., Covington, Ky. (Cincinnati, Ohio.)
 Erving, Wm. Van Rensselaer, Albany, N. Y.
 Erwin, Frank Alexander, New York, N. Y.
 Eschweiler, F. C., Milwaukee, Wis.
 Eshleman, George Ross, Lancaster, Pa.
 Eshleman, H. Frank, Lancaster, Pa.
 Euling, Henry C., Philadelphia, Pa.
 Estabrook, Henry D., New York, N. Y.
 Estep, Thomas B., St. Louis, Mo.
 Esterline, Blackburn, Washington, D. C.
 Estes, W. L., Texarkana, Texas.
 Estudillo, Miguel, Riverside, Cal.
 Etheridge, Francis Marion, Dallas, Tex.
 Ettelson, Samuel A., Chicago, Ill.
 Evans, Charles R., Chattanooga, Tenn.
 Evans, Earl W., Wichita, Kan.
 Evans, Henry O., Pittsburgh, Pa.
 Evans, John Gary, Spartanburg, S. C.
 Evans, John Lewis, Philadelphia, Pa.
 Evans, John T., Chicago, Ill.
 Evans, Joseph E., Ogden, Utah.
 Evans, Lynden, Chicago, Ill.
 Evans, Marvin, Walla Walla, Wash.
 Evans, Montgomery, Norristown, Pa.
 Evans, Rowland, Indianapolis, Ind.
 Evans, Thomas R., Chanute, Kans.
 Evans, Walter, Louisville, Ky.
 Evans, William D., Hampton, Iowa.
 Evans, William L., Green Bay, Wis.
 Evans, William S., Elkton, Md.
 Everts, Frank B., Cleveland, Ohio.
 Everest, J. H., Oklahoma City, Okla.
 Everett, Edward W., Chicago, Ill.
 Everett, R. O., Durham, N. C.
 Everett, Russell M., Newark, N. J.
 Everette, Willis Eugene, Tacoma, Wash.
 Everson, John, Los Angeles, Cal.
 Evins, Robert B., Greensboro, Ala.
 Ewing, Arthur W., Madison, Minn.
 Ewing, Hampton D., New York, N. Y.
 Ewing, James W., Wheeling, W. Va.
 Ewing, John A., Leadville, Col.
 Ewing, John G., New York, N. Y.
 Ewing, Presley K., Houston, Texas.
 Ewing, Thomas, Jr., Washington, D. C.
 Eyges, Leon Russell, Boston, Mass.
 Faber, Leander B., Jamaica, N. Y.
 Fagan, Joseph P., Boston, Mass.
 Fahey, Michael H., Havre de Grace, Md.
 Fahy, Thomas A., Philadelphia, Pa.
 Fahy, Walter T., Philadelphia, Pa.
 Fairbanks, Charles W., Indianapolis, Ind.
 Fairchild, Arthur W., Milwaukee, Wis.
 Fairchild, Hiram O., Green Bay, Wis.
 Fairlamb, Millard, Delta, Colo.
 Faisaler, John, Sycamore, Ill.
 Falck, Alexander D., Elmira, N. Y.
 Fall, George Howard, Malden, Mass.
 Fallon, James, Pittsfield, Mass.
 Fallon, John J., Hoboken, N. J.
 Falloon, Edwin, Falls City, Nebr.
 Fallows, Edward H., New York, N. Y.
 Fant, Rice T., Memphis, Tenn.
 Faria, Charles B., Jefferson City, Mo.
 Farley, John Wells, Boston, Mass.
 Farlow, John S., Boston, Mass.
 Farnham, Alexander, Wilkes-Barre, Pa.
 Farnham, Charles W., St. Paul, Minn.
 Farnham, Frank A., Boston, Mass.
 Farnsworth, P. T., Jr., Salt Lake City, Utah.
 Farnsworth, Philip, New York, N. Y.
 Farr, George W., Miles City, Mont.
 Farrand, George E., Ventura, Cal.

- Farrar, Edgar H., New Orleans, La.
 Farrar, Fred, Denver, Colo.
 Farrelly, Hugh P., Chanute, Kans.
 Farren, James J., New York, N. Y.
 Farrington, E. S., Carson City, Nev.
 Farwell, John C., Chicago, Ill.
 Fassett, Eugene G., Chicago, Ill.
 Faught, Albert Smith, Philadelphia, Pa.
 Faulkner, Charles J., Martinsburg, W. Va.
 (Washington, D. C.)
 Fauntleroy, Thomas T., St. Louis, Mo.
 Faust, Frederick De C., Washington, D. C.
 Faust, Oscar, Iola, Kans.
 Faust, William B., Mount Carmel, Pa.
 Fawcett, Charles F., Milwaukee, Wis.
 Fay, Frank S., Meriden, Conn.
 Fay, Jesse B., Cleveland, Ohio.
 Faysmoux, William McL., New Orleans, La.
 Fearons, George H., New York, N. Y.
 Feazel, W. P., Nashville, Ark.
 Fechtig, James A., Jr., New York, N. Y.
 Fee, Fred, Fort Pierce, Florida.
 Feely, Joseph J., Boston, Mass.
 Feeney, John P., Boston, Mass.
 Feightner, Milo N., Huntington, Ind.
 Feiner, Benjamin F., New York, N. Y.
 Fellows, Grant, Hudson, Mich.
 Felsenthal, Eli B., Chicago, Ill.
 Fennell, Thomas F., Elmira, N. Y.
 Fenner, Charles Payne, New Orleans, La.
 Fenning, Frederick A., Washington, D. C.
 Fenning, Karl, Cleveland, Ohio.
 Fenstermaker, Thomas A., Philadelphia, Pa.
 Fenton, Hector T., Philadelphia, Pa.
 Ferber, J. Bernard, Boston, Mass.
 Fergus, Robert C., Chicago, Ill.
 Ferguson, Elbert C., Chicago, Ill.
 Ferguson, Garland S., Jr., Greensboro, N. C.
 Ferguson, Wm. B. S., Philadelphia, Pa.
 Ferme, Antonio, New York, N. Y.
 Fernald, Gustavus S., Chicago, Ill.
 Ferneling, Henry L., Dayton, Ohio.
 Fernsell, C. C., New Philadelphia, Ohio.
 Ferris, Aaron A., Cincinnati, Ohio.
 Ferris, G. M., Spokane, Wash.
 Ferris, Madison J. H., New York, N. Y.
 Ferris, T. Harvey, Utica, N. Y.
 Ferriss, Franklin, St. Louis, Mo.
 Ferriss, Henry T., St. Louis, Mo.
 Ferriss, Stark B., New York, N. Y.
 Ferry, L. S., Topeka, Kans.
 Ferson, Merton L., Iowa City, Iowa.
 Fealer, James William, Indianapolis, Ind.
 Ficken, John F., Charleston, S. C.
 Field, Charles W., Baltimore, Md.
 Field, Frank Harvey, New York, N. Y.
 Field, Fred T., Boston, Mass.
 Field, Heman H., Chicago, Ill.
 Field, Neill B., Albuquerque, N. M.
 Field, S. S., Baltimore, Md.
 Field, Seward I., Medicine Lodge, Kans.
 Field, William H., Louisville, Ky.
 Fiero, J. Newton, Albany, N. Y.
 File, Ashton, Beckley, W. Va.
 Filley, Frederick Child, Troy, N. Y.
 Finch, Edward R., New York, N. Y.
 Finch, James D., Reno, Nev.
 Findlay, William C., New York, N. Y.
 Findley, William L., New York, N. Y.
 Fink, Charles E., Westminster, Md.
 Finley, James W., Chanute, Kans.
 Finney, A. C., Minneapolis, Minn.
 Fiset, Franz, Austin, Tex.
 Fish, Daniel, Minneapolis, Minn.
 Fish, Frank L., Vergennes, Vt.
 Fish, Frederick P., Boston, Mass.
 Fish, Henry E., Erie, Pa.
 Fish, Howard J., Los Angeles, Cal.
 Fish, Irving A., Milwaukee, Wis.
 Fish, Norman D., North Tonawanda, N. Y.
 Fish, William H., Atlanta, Ga.
 Fisher, Clarence A., Canton, Ohio.
 Fisher, D. K. Este, Baltimore, Md.
 Fisher, Frederick A., Lowell, Mass.
 Fisher, George H., Philadelphia, Pa.
 Fisher, George P., Chicago, Ill.
 Fisher, Gordon, Pittsburgh, Pa.
 Fisher, James, Hackettstown, N. J.
 Fisher, John J., Bayfield, Wis.
 Fisher, John S., Indiana, Pa.
 Fisher, Robert J., Washington, D. C.
 Fisher, William Righter, Philadelphia, Pa.
 Fisk, Charles J., Bismarck, N. D.
 Fisk, R. W., Ridgefarm, Ill.
 Fiske, Andrew, Boston, Mass.
 Fitch, Theodore, Yonkers, N. Y.
 Fite, Rufus L., Georgetown, Ohio.
 Fitts, Clarke C., Brattleboro, Vt.
 Fitzgerald, David E., New Haven, Conn.
 Fitzgerald, James Regan, New York, N. Y.
 Fitzgerald, Robert M., Oakland, Cal.
 Fitzgerald, William J., Scranton, Pa.
 Fitzhugh, G. T., Memphis, Tenn.
 Fitzhugh, Henry L., Fort Smith, Ark.
 Fitzpatrick, Thomas J., Chateaugay, N. Y.
 Fitzpatrick, William George, Detroit, Mich.
 Fitz-Randolph, Reginald T., Nantucket, Mass.
 Fitz Simons, W. Huger, Charleston, S. C.
 Flaherty, D. J., Lincoln, Nebr.
 Flaherty, James A., Philadelphia, Pa.
 Flanders, James G., Milwaukee, Wis.

Flannery, George P., Minneapolis, Minn.
 Flannery, Henry C., Minneapolis, Minn.
 Flannery, John Spalding, Washington, D. C.
 Fleischmann, Simon, Buffalo, N. Y.
 Fleming, A. B., Fairmont, W. Va.
 Fleming, Francis P., Jacksonville, Fla.
 Fleming, John D., Boulder, Col.
 Fleming, Matthew C., New York, N. Y.
 Fleming, Russell W., Fort Collins, Col.
 Flemming, H. H., Kingston, N. Y.
 Fletcher, Bertram L., New York, N. Y.
 Fletcher, Duncan U., Washington, D. C.
 Fletcher, Henry, New York, N. Y.
 Fletcher, J. Gilmore, Pittsburgh, Pa.
 Fletcher, James H., Jr., Accomac, Va.
 Fletcher, John Storrs, Chattanooga, Tenn.
 Fletcher, Robert V., Chicago, Ill.
 Fletcher, William Meade, Sperryville, Va.
 Fletchinger, Charles F., New Orleans, La.
 Fleury, John H., Brooklyn, N. Y.
 Flewelling, Albert L., Spokane, Wash.
 Flexner, Bernard, Chicago, Ill.
 Flick, Edward H., Altoona, Pa.
 Flickinger, Isaac N., Council Bluffs, Iowa.
 Flint, Albert F., Boston, Mass.
 Flint, Frank P., Los Angeles, Cal.
 Floan, John P., New York, N. Y.
 Flood, H. D., Appomattox, Va.
 Florance, Ernest T., New Orleans, La.
 Flory, Walter L., Cleveland, Ohio.
 Flournoy, William S., Kansas City, Mo.
 Flowera, George W., Pittsburg, Pa.
 Flowers, James N., Jackson, Miss.
 Flynn, Edward F., Devils Lake, N. D.
 Flynn, George A., Boston, Mass.
 Flynn, John M., Sandpoint, Idaho.
 Flynn, Leo J., Dubuque, Iowa.
 Flynt, Roger D., Dublin, Ga.
 Foell, Charles M., Chicago, Ill.
 Fogle, John L., Chicago, Ill.
 Foley, James A., New York, N. Y.
 Folk, Joseph W., Washington, D. C.
 Folland, William H., Salt Lake City, Utah.
 Follansbee, George A., Chicago, Ill.
 Follansbee, Mitchell D., Chicago, Ill.
 Follett, Alfred Dewey, Marietta, Ohio.
 Follett, Edward B., Marietta, Ohio.
 Polonie, Robert J., Chicago, Ill.
 Folsom, Myron A., Spokane, Wash.
 Folts, Charles J., New York, N. Y.
 Folz, Leon H., Philadelphia, Pa.
 Fols, Stanley, Philadelphia, Pa.
 Foosehee, George A., Coalgate, Okla.
 Fopiano, Albert B., Boston, Mass.
 Forbes, J. Grant, Paris, France.
 Forbush, Frank M., Boston, Mass.

Force, H. C., Seattle, Wash.
 Ford, Joe H., Houston, Miss.
 Ford, John, New York, N. Y.
 Ford, Richard A., Washington, D. C.
 Ford, Thomas J., Pittsburgh, Pa.
 Ford, Tiley L., San Francisco, Cal.
 Ford, Wayland F., La Fargeville, N. Y.
 Fordham, Albert C., Chicago, Ill.
 Fordham, Herbert L., New York, N. Y.
 Fordyce, Samuel W., Jr., St. Louis, Mo.
 Foreman, Milton J., Chicago, Ill.
 Forkner, George, New Castle, Ind.
 Forlow, Frank L., Webb City, Mo.
 Forman, William, Tonopah, Nev.
 Forster, Henry A., New York, N. Y.
 Forsythe, William H., Jr., Ellicott City, Md.
 Fort, Dancy, Clarksville, Tenn.
 Fort, J. Franklin, Newark, N. J.
 Fortson, Blanton, Athens, Ga.
 Fomes, O. A., Montevideo, Minn.
 Foss, Ernest, Newburyport, Mass.
 Foster, A. B., Troy, Ala.
 Foster, Alfred D., Boston, Mass.
 Foster, Arthur D., Baltimore, Md.
 Foster, Carl, Bridgeport, Conn.
 Foster, Charles E., Washington, D. C.
 Foster, Charles L., New York, N. Y.
 Foster, E. H., Oklahoma City, Okla.
 Foster, Frank, Chicago, Ill.
 Foster, Fred C., Lincoln, Nebr.
 Foster, Frederick, Boston, Mass.
 Foster, George A., Johnstown, Pa.
 Foster, Henry H., Norman, Okla.
 Foster, Israel Moore, Athens, Ohio.
 Foster, Reginald, Boston, Mass.
 Foster, Roger, New York, N. Y.
 Foster, Rufus E., New Orleans, La.
 Foster, Stephen A., Chicago, Ill.
 Fow, John H., Philadelphia, Pa.
 Fowler, Addison J., Denver, Colo.
 Fowler, Carl H., New York, N. Y.
 Fowler, Charles R., Minneapolis, Minn.
 Fowler, Everett, Kingston, N. Y.
 Fowler, James A., Knoxville, Tenn.
 Fowler, William P., Boston, Mass.
 Fox, A. F., West Point, Miss.
 Fox, Austen G., New York, N. Y.
 Fox, Carlton, Wallace, Idaho.
 Fox, Charles Edwin, Philadelphia, Pa.
 Fox, Charles J., St. Louis, Mo.
 Fox, Duane E., Washington, D. C.
 Fox, Edward J., Easton, Pa.
 Fox, Frank B., Washington, D. C.
 Fox, Henry L., Norristown, Pa.
 Fox, John E., Harrisburg, Pa.
 Fralley, Charles L., Washington, D. C.
 Fralley, Joseph C., Philadelphia, Pa.

- France, Jacob, Baltimore, Md.
 France, Joseph C., Baltimore, Md.
 Francis, W. H., Fort Worth, Texas.
 Frank, Adam, New York, N. Y.
 Frank, David A., New York, N. Y.
 Frank, Eli, Baltimore, Md.
 Frank, Harry A., St. Louis, Mo.
 Frank, Julius J., New York, N. Y.
 Frank, Robert J., Chicago, Ill.
 Frankel, Hiram D., St. Paul, Minn.
 Frankel, Louis R., St. Paul, Minn.
 Frankenberg, Henry E., New York, N. Y.
 Frankenstein, Samuel I., New York, N. Y.
 Frankfurter, Felix, Cambridge, Mass.
 Franklin, N. A., Unionville, Mo.
 Franklin, Ruford, New York, N. Y.
 Franklin, Thomas H., San Antonio, Texas.
 Frantz, John Henry, Knoxville, Tenn.
 Fraser, Daniel, Fowler, Ind.
 Fraser, George C., New York, N. Y.
 Fraser, T. B., Sumter, S. C.
 Fraser, William C., Omaha, Nebr.
 Frauenthal, Samuel, Little Rock, Ark.
 Frawley, Edward J., Boise, Idaho.
 Frazer, Robert S., Pittsburgh, Pa.
 Frazier, J. W., Tampa, Fla.
 Frazier, Robert, Mechanicsville, N. Y.
 Fredericks, John T., Williamsport, Pa.
 Freedman, John J., New York, N. Y.
 Freehafer, Albert L., Boise, Idaho.
 Freeman, Charles Y., Chicago, Ill.
 Freeman, G. R., Corono, Cal.
 Freeman, Robert R., Milwaukee, Wis.
 Freiberg, A. Julius, Cincinnati, Ohio.
 French, Asa P., Boston, Mass.
 French, Burton L., Chicago, Ill.
 French, D. E., Bluefield, W. Va.
 French, H. Findlay, Baltimore, Md.
 French, LeRoy N., Reno, Nev.
 French, Nathaniel, Davenport, Iowa.
 French, Thomas E., Camden, N. J.
 Freschi, John J., New York, N. Y.
 Freund, Ernst, Chicago, Ill.
 Frey, Philip W., Evansville, Ind.
 Friedman, Lee M., Boston, Mass.
 Friedman, Simon G., Worcester, Mass.
 Friedrichs, Carl C., New Orleans, La.
 Friend, Charles, Milwaukee, Wis.
 Friend, Harvey M., Washington, D. C.
 Frierson, Horace, Jr., Columbia, Tenn.
 Frierson, James Nelson, Columbia, S. C.
 Frierson, John F., Columbus, Miss.
 Fries, Henry K., Philadelphia, Pa.
 Friabee, Ernest L., Buffalo, N. Y.
 Frohman, Isaac, San Francisco, Cal.
 Frost, E. Allen, Chicago, Ill.
 Frost, Edward W., Milwaukee, Wis.
 Frost, Frank Ravenel, Charleston, S. C.
 Frost, G. Frederick, Providence, R. I.
 Froet, Henry R., New York, N. Y.
 Frost, Hildreth, Colorado Springs, Col.
 Frothingham, Theodore L., New York, N. Y.
 Fry, John H., Denver, Col.
 Fry, W. W., Jr., Mexico, Mo.
 Fulkerson, Frank B., St. Joseph, Mo.
 Fuller, Charles H., New York, N. Y.
 Fuller, Clifford W., Cleveland, Ohio.
 Fuller, E. Dean, Mexico City, Mexico.
 Fuller, Frederick E., Los Angeles, Cal.
 Fuller, George, Vista, Cal.
 Fuller, J. A., Selma, Ala.
 Fuller, Jay, Detroit, Mich.
 Fuller, Jones, Durham, N. C.
 Fuller, Philip H., Hastings, Nebraska.
 Fuller, Pierpont, Denver, Col.
 Fuller, Raymond D., New York, N. Y.
 Fuller, Samuel A., Boston, Mass.
 Fuller, Thomas Staples, New York, N. Y.
 Fuller, William Hayes, McAlester, Okla.
 Fullerton, William D., Ottawa, Ill.
 Fulton, Minitree Jones, Richmond, Va.
 Fulton, Thomas B., Newark, Ohio.
 Fulton, Walter S., Seattle, Wash.
 Fulweiler, John M., Auburn, Cal.
 Fulwood, C. W., Tifton, Ga.
 Furber, Arthur, New York, N. Y.
 Furber, Fred N., Minneapolis, Minn.
 Furlong, William E., Milwaukee, Wis.
 Furlow, Thomas E., New Orleans, La.
 Furman, Daniel G., Swanton, Vt.
 Furr, J. B., Muskogee, Okla.
 Furst, William, Minneapolis, Minn.
 Fyffe, Colin C. H., Chicago, Ill.
 Gabbert, William H., Denver, Col.
 Gabel, George H., Milwaukee, Wis.
 Gabriel, John H., Denver, Col.
 Gaffy, Loring E., Pierre, S. D.
 Gaill, John J., Jr., Detroit, Mich.
 Gage, Geo. Williams, Chester, S. C.
 Gage, John C., Kansas City, Mo.
 Gage, Thomas Hovey, Worcester, Mass.
 Gager, Edwin B., Derby, Conn.
 Gaillard, William D., New York, N. Y.
 Gaines, Albert W., Chattanooga, Tenn.
 Gaines, Greenville, Warrenton, Va.
 Gaines, J. B., Leesburg, Fla.
 Gaither, Paul H., Greensburg, Pa.
 Galtkill, Bennett S., Girard, Kan.
 Galbraith, Clinton A., Oklahoma City, Okla.
 Galbraith, John P., St. Paul, Minn.
 Gale, Edward C., Minneapolis, Minn.
 Gale, Herbert D., Klamath Falls, Ore.
 Gallagher, Francis G., Philadelphia, Pa.

- Gallagher, Charles T., Boston, Mass.
 Gallagher, Michael F., Chicago, Ill.
 Gallagher, Thomas F., Fitchburg, Mass.
 Gallaher, John A., Marietta, Ohio.
 Gallert, David J., New York, N. Y.
 Gallery, Daniel V., Chicago, Ill.
 Galston, Clarence G., New York, N. Y.
 Galvin, John, Cincinnati, Ohio.
 Gandy, Newton S., Coronado, Cal.
 Gannon, Frank S., Jr., New York, N. Y.
 Gans, Howard S., New York, N. Y.
 Gantebain, Calvin U., Portland, Ore.
 Gantt, E. S., Mexico, Mo.
 Garcelon, William F., Boston, Mass.
 Gard, G. R., Iola, Kan.
 Gard, Samuel A., Iola, Kan.
 Gardiner, George H., New York, N. Y.
 Gardiner, Robert H., Gardiner, Me.
 Gardiner, W. Gwynn, Washington, D. C.
 Gardner, A. E. L., Clayton, Mo.
 Gardner, A. K., Huron, S. D.
 Gardner, Alonzo M., Richmond, Ind.
 Gardner, C. P., Mendota, Ill.
 Gardner, John M., New York, N. Y.
 Gardner, Percy W., Providence, R. I.
 Gardner, Rathbone, Providence, R. I.
 Gardner, Richard N., Staples, Minn.
 Garesche, Vital W., St. Louis, Mo.
 Garfield, Harry A., Williamstown, Mass.
 Garfield, Irvin McD., Boston, Mass.
 Garfield, James E., Cleveland, Ohio.
 Garland, Francis P., Boston, Mass.
 Garland, Hugh A., Wilmington, Del.
 Garman, John M., Wilkes-Barre, Pa.
 Garnett, J. Mercer, Jr., Baltimore, Md.
 Garnett, Theodore S., Norfolk, Va.
 Garrecht, F. A., Spokane, Wash.
 Garretson, Garret J., Elmhurst, N. Y.
 Garrett, H. S., San Angelo, Texas.
 Garrison, Lindley M., Jersey City, N. J.
 (Washington, D. C.)
 Garry, Thomas H., Cleveland, Ohio.
 Gartside, John M., Chicago, Ill.
 Garver, John A., New York, N. Y.
 Garvin, Edwin Louis, New York, N. Y.
 Garvin, William Everett, St. Louis, Mo.
 Gary, Elbert H., New York, N. Y.
 Gary, Eugene B., Abbeville, S. C.
 Gary, Hampson, Washington, D. C.
 Gaskill, Edmund C., Jr., Atlantic City, N. J.
 Gaskill, George A., Worcester, Mass.
 Gaskill, James R., Tauboro, N. C.
 Gaskill, Robert S., Mount Holly, N. J.
 Gast, Robert S., Pueblo, Col.
 Gaston, O. C., Everett, Wash.
 Gatch, Lewis N., Cincinnati, Ohio.
 Gates, Edward O., Fort Scott, Kan.
 Gates, Edward P., Independence, Mo.
 Gates, Elias, Memphis, Tenn.
 Gates, Jay, Philadelphia, Pa.
 Gates, John Calhoun, Princeton, Ky.
 Gates, John E., Pierre, S. D.
 Gates, Merrill E., Jr., New York, N. Y.
 Gates, Thomas S., Philadelphia, Pa.
 Gatley, H. Prescott, Washington, D. C.
 Gattell, Benoni B., New York, N. Y.
 Gauerke, John W., Green Bay, Wis.
 Gaughan, Thomas J., Camden, Ark.
 Gaulin, A., Marseilles, France.
 Gauthier, Joseph A., New Bedford, Mass.
 Gavegan, Edward J., New York, N. Y.
 Gavin, Frank E., Indianapolis, Ind.
 Gavin, James L., Indianapolis, Ind.
 Gavin, Michael, Ed., New York, N. Y.
 Gavin, Richard L., Chicago, Ill.
 Gavit, John A., Hammond, Ind.
 Gay, Daniel F., Worcester, Mass.
 Gayle, John B., Richmond, Va.
 Gazan, Simon N., Savannah, Ga.
 Gazzam, Joseph M., New York, N. Y.
 Gearin, John M., Portland, Ore.
 Geary, Alexander B., Chester, Pa.
 Gebhardt, William O., Clinton, N. J.
 Geddes, Frederick L., Toledo, Ohio.
 Gedney, Jerome D., East Orange, N. J.
 Geiger, Ferdinand A., Milwaukee, Wis.
 Geiger, Frederick J., Philadelphia, Pa.
 Geilfuss, Carl F., Milwaukee, Wis.
 Geisler, T. J., Portland, Ore.
 Geist, A. Joseph, New York, N. Y.
 Geller, Frederick, New York, N. Y.
 Gemmill, William B., York, Pa.
 Gennert, Henry G., New York, N. Y.
 Gentry, North T., Columbia, Mo.
 Gentry, William R., St. Louis, Mo.
 Geoghegan, William A., Cincinnati, Ohio.
 George, Alvah H., St. Albans, Vt.
 Geraghty, Michael J., Philadelphia, Pa.
 Gerard, James W. (Berlin, Germany),
 New York, N. Y.
 Gering, Matthew, Plattsmouth, Neb.
 German, Charles W., Kansas City, Mo.
 Germany, J. A., Dallas, Texas.
 Gerry, Elbridge T., New York, N. Y.
 Gest, John Marshall, Philadelphia, Pa.
 Gheen, John H., West Chester, Pa.
 Gibbon, T. E., Los Angeles, Cal.
 Gibbons, Cromwell, Jacksonville, Fla.
 Gibbons, John, Chicago, Ill.
 Gibbons, L. A., Reno, Nev.
 Gibbons, M. G., Tampa, Fla.
 Gibbs, Clinton B., Buffalo, N. Y.
 Gibbs, George C., Jacksonville, Fla.
 Gibbs, Hunter A., Columbia, S. C.
 Gibson, Claude W., Boise, Idaho.

Gibson, Clyde, New Castle, Pa.
 Gibson, Edward Guest, Baltimore, Md.
 Gibson, George J., Salt Lake City, Utah.
 Gibson, James A., Los Angeles, Cal.
 Gibson, William J., New York, N. Y.
 Gick, Frank, Saratoga Springs, N. Y.
 Giddings, Charles, Great Barrington, Mass.
 Gideon, Valentine, Ogden, Utah.
 Giffen, Wallis, Baltimore, Md.
 Gifford, George H., Tipton, Ind.
 Gifford, James M., New York, N. Y.
 Gifford, Livingston, New York, N. Y.
 Gignilliat, William L., Savannah, Ga.
 Gignilliat, William R., Savannah, Ga.
 Gilbert, Charles E., Nevada, Mo.
 Gilbert, James H., Atlanta, Ga.
 Gilbert, Newton W., Manila, P. I.
 Gilbert, William B., Portland, Ore.
 Gilbert, William S., Kansas City, Mo.
 Gilchrist, Alexander, Jr., New York, N. Y.
 Gillman, Alex., Pittsburgh, Pa.
 Gilfoil, James H., Jr., Lake Providence, La.
 Gilhooly, Patrick H., Elizabeth, N. J.
 Gilkyson, H. H., Phoenixville, Pa.
 Gilkyson, T. Walter, Philadelphia, Pa.
 Gill, Charles C., New York, N. Y.
 Gill, Harry Blair, Philadelphia, Pa.
 Gill, Henry Sterling, Greensburg, Pa.
 Gill, Roger T., Baltimore, Md.
 Gillen, William W., Jamaica, N. Y.
 Gillespie, Charles D., Pittsburgh, Pa.
 Gillespie, George J., New York, N. Y.
 Gillespie, J. Hamilton, Sarasota, Fla.
 Gillette, Andrew W., Denver, Colo.
 Gillette, Charles A., Salt Lake City, Utah.
 Gilliam, H. A., Tarboro, N. C.
 Gillin, P. H., Bangor, Me.
 Gilman, Edwin C., Boston, Mass.
 Gilman, L. C., Portland, Ore.
 Gilmore, Clark W., Pipestone, Minn.
 Gilmore, Clement R., Dayton, Ohio.
 Gilmore, Eugene Allen, Madison, Wis.
 Gilpin, C. Monteth, New York, N. Y.
 Gilroy, Thomas F., Jr., New York, N. Y.
 Gilson, John L., New Haven, Conn.
 Gittings, John C., Washington, D. C.
 Given, Harvey, Washington, D. C.
 Givens, Raymond L., Boise, Idaho.
 Gjerset, Oluf, Montevideo, Minn.
 Glasgow, William A., Jr., Philadelphia, Pa.
 Glass, Hiram, Austin, Texas.
 Glass, R. C., Dayton, Ohio.
 Glasie, Henry Haywood, Washington, D. C.
 Gleason, A. H., New York, N. Y.
 Gleason, John H., Albany, N. Y.
 Gleason, W. L., New Orleans, La.

Gleed, James Willis, Topeka, Kan.
 Glen, James F., Tampa, Fla.
 Glendinning, Henry D., Providence, R. I.
 Glenn, Edwin F., Philadelphia, Pa.
 Glenn, Garrard, New York, N. Y.
 Glickman, Nathan, Milwaukee, Wis.
 Gloag, Ralph Wardlaw, Boston, Mass.
 Glynn, Martin H., Albany, N. Y.
 Godard, Porter B., Kansas City, Mo.
 Godbey, E. W., Decatur, Ala.
 Godbold, Norman D., Camden, Ala.
 Goddard, Edwin C., Ann Arbor, Mich.
 Goddard, Luther M., Denver, Col.
 Godfrey, Percy D., St. Paul, Minn.
 Goepel, C. P., New York, N. Y.
 Goetchius, Henry R., Columbus, Ga.
 Goff, Guy D., Milwaukee, Wis.
 Goff, John W., New York, N. Y.
 Goggins, Bernard R., Grand Rapids, Wis.
 Gold, Walter L., Milwaukee, Wis.
 Goldberg, Abraham, New Orleans, La.
 Goldberg, Samuel J., New York, N. Y.
 Goldman, Julius, New York, N. Y.
 Goldman, Samuel P., New York, N. Y.
 Goldsborough, Phillips Lee, Cambridge, Md.
 Goldsborough, R. F., New Orleans, La.
 Goldsborough, T. Alan, Denton, Md.
 Goldsmith, Aaron, Easton, Pa.
 Goldsmith, Geoffrey, Cincinnati, Ohio.
 Goldsmith, Karl, Pierre, S. D.
 Goldsmith, Max, Columbus, Ohio.
 Goldstein, Jonah J., New York, N. Y.
 Gonzalez, Antonio C., New York, N. Y.
 Goodale, Francis G., Boston, Mass.
 Goodall, Henry E., Ogallala, Neb.
 Goodbread, Joseph S., Philadelphia, Pa.
 Goodell, Edwin B., Montclair, N. J.
 Goodelle, William P., Syracuse, N. Y.
 Goodfellow, Hugh, San Francisco, Cal.
 Goodhue, Isaac W., New York, N. Y.
 Goodlett, Nicholas M., New York, N. Y.
 Goodman, Leon, Lynchburg, Va.
 Goodnow, Frank J., Baltimore, Md.
 Goodrich, Ben, Los Angeles, Cal.
 Goodrich, Chauncey S., San Francisco, Cal.
 Goodrich, James E., Kansas City, Mo.
 Goodspeed, Alex. McLellan, New Bedford, Mass.
 Goodwin, Robert E., Boston, Mass.
 Goodwin, Willard H., Wilkes-Barre, Pa.
 Goodwyn, Robert Tyler, Montgomery, Ala.
 Goodyear, A. F., Watseka, Ill.
 Goodykoontz, Wells, Williamson, W. Va.
 Gordon, Armistead C., Staunton, Va.
 Gordon, George B., Pittsburgh, Pa.
 Gordon, George H., LaCrosse, Wis.

- Gordon, Gordon, New York, N. Y.
 Gordon, Horace C., Tampa, Fla.
 Gordon, Hugh T., Los Angeles, Cal.
 Gordon, James Gay, Philadelphia, Pa.
 Gordon, James H., McAlester, Okla.
 Gordon, Maurice Kirby, Madisonville, Ky.
 Gordon, Peyton, Washington, D. C.
 Gordon, W. D., Beaumont, Texas.
 Gordon, Wm. Seton, New York, N. Y.
 Gordon, William W., Savannah, Ga.
 Gore, Claude W., Clarksburg, W. Va.
 Gorham, William H., Seattle, Wash.
 Gorman, William, Philadelphia, Pa.
 Gorrill, William H., San Francisco, Cal.
 Gorter, James P., Baltimore, Md.
 Gose, M. F., Olympia, Wash.
 Gose, T. P., Walla Walla, Wash.
 Gosnell, Frank, Baltimore, Md.
 Goss, Melvin C., Boulder, Col.
 Gossett, Alfred N., Kansas City, Mo.
 Gotthold, Arthur F., New York, N. Y.
 Goudy, Frank C., Denver, Col.
 Gough, Aurelian Bruce, Montpelier, Idaho.
 Gould, Ashley M., Washington, D. C.
 Gould, Charles D., Minneapolis, Minn.
 Gould, Louis K., Bridgeport, Conn.
 Goulder, Harvey D., Cleveland, Ohio.
 Gourley, James P., Philadelphia, Pa.
 Gourley, William B., Paterson, N. J.
 Cove, Frank E., Denver, Col.
 Cove, William H., Salem, Mass.
 Grace, H. H., Superior, Wis.
 Grace, William J., Long Island City, N. Y.
 (Aden, Arabia).
 Grady, Daniel H., Portage, Wis.
 Graff, M. L., Los Angeles, Cal.
 Graham, Arthur Butler, New York, N. Y.
 Graham, Byron U., Washington, D. C.
 Graham, D. M., Guilford, Miss.
 Graham, George S., Philadelphia, Pa.
 Graham, Robert P., Baltimore, Md.
 Graham, Samuel J., Washington, D. C.
 Gram, Jesse P., New York, N. Y.
 Gran, Victor H., Duluth, Minn.
 Granberry, William L., Nashville, Tenn.
 Granger, Percival H., Philadelphia, Pa.
 Grant, J. H., Oklahoma City, Okla.
 Grant, Lee W., St. Louis, Mo.
 Grant, Richard F., Cleveland, Ohio.
 Grant, Walter R., Boston, Mass.
 Grant, Wm. West, Jr., Denver, Col.
 Grantier, Jesse L., Wellsville, N. Y.
 Gramham, C. C., Paducah, Ky.
 Graton, Claude D., Burlington, Vt.
 Graustein, Archibald R., Boston, Mass.
 Graves, C. W., Viroqua, Wis.
 Graves, Frank P., Chicago, Ill.
 Graves, Henry B., Detroit, Mich.
 Graves, W. W., Jefferson City, Mo.
 Graves, Will G., Spokane, Wash.
 Gray, Andrew C., Wilmington, Del.
 Gray, George, Wilmington, Del.
 Gray, Henry G., New York, N. Y.
 Gray, J. Converse, Boston, Mass.
 Gray, James C., Pittsburg, Pa.
 Gray, John B., Prince Frederick, Md.
 Gray, Robert T., Detroit, Mich.
 Gray, Roscoe Spaulding, Oakland, Cal.
 Gray, William A., Philadelphia, Pa.
 Gray, William J., Detroit, Mich.
 Graydon, Joseph S., Cincinnati, Ohio.
 Grayson, D. L., Chattanooga, Tenn.
 Greeley, Louis M., Chicago, Ill.
 Greeley, William B., New York, N. Y.
 Green, Addison L., Holyoke, Mass.
 Green, Ernest A., St. Louis, Mo.
 Green, Ernest L., Media, Pa.
 Green, Frederick, Urbana, Ill.
 Green, Garner Wynn, Jackson, Miss.
 Green, George C., Weldon, N. C.
 Green, George M., Oklahoma City, Okla.
 Green, George S., Reno, Nev.
 Green, Grafton, Nashville, Tenn.
 Green, Harrison S., Milwaukee, Wis.
 Green, Henry I., Urbana, Ill.
 Green, Herbert, New York, N. Y.
 Green, J. W., Lawrence, Kan.
 Green, John F., St. Louis, Mo.
 Green, John W., Knoxville, Tenn.
 Green, Marcellus, Jackson, Miss.
 Green, Nathaniel T., Norfolk, Va.
 Green, Theodore F., Providence, R. I.
 Greenacre, Isiah T., Chicago, Ill.
 Greenbaum, Samuel, New York, N. Y.
 Greenberger, N. M., Akron, Ohio.
 Greene, Foster R., Fall River, Mass.
 Greene, Gardiner, Norwich, Conn.
 Greene, George E., Hoosick Falls, N. Y.
 Greene, George G., Green Bay, Wis.
 Greene, George W., Woonsocket, R. I.
 Greene, James Luther, Binghamton, N. Y.
 Greene, John E., Minot, N. Dak.
 Greene, Philip F., Lincoln, Neb.
 Greene, Robert J., Lincoln, Neb.
 Greene, Thomas G., Portland, Ore.
 Greene, Warren E., Duluth, Minn.
 Greene, William P., Abbeville, S. C.
 Greenhall, Charles Lawrence, New York, N. Y.
 Greenough, William, New York, N. Y.
 Greenough, William B., Providence, R. I.
 Greensfelder, Bernard, St. Louis, Mo.
 Greenwell, W. A., Honolulu, Hawaii.
 Greenwood, Albert G., Palestine, Texas.
 Greer, Charles C., Johnstown, Pa.
 Greer, D. Edward, Beaumont, Texas.

- Greer, George C., Dallas, Texas.
 Greer, Paul E., Los Angeles, Cal.
 Greevy, Thomas H., Altoona, Pa.
 Gregg, Frank E., Denver, Col.
 Gregg, Maurice, Baltimore, Md.
 Gregg, William W., Elmira, N. Y.
 Gregory, Charles Noble, Washington, D. C.
 Gregory, Henry E., New York, N. Y.
 Gregory, Roger, Lester Manor, Va.
 Gregory, Stephen S., Chicago, Ill.
 Gregory, Thomas W. (Washington, D. C.), Austin, Texas.
 Gregory, Walter H., Salt Lake City, Utah.
 Gregory, Warren, San Francisco, Cal.
 Gresham, Otto, Chicago, Ill.
 Greve, Charles Theodore, Cincinnati, Ohio.
 Gridley, John T., Candor, N. Y.
 Gridley, Martin M., Chicago, Ill.
 Grier, F. Barron, Greenwood, S. C.
 Griffin, Charles Lamson, New York, N. Y.
 Griffin, Everett Paul, St. Louis, Mo.
 Griffin, S., Bedford City, Va.
 Griffin, William H., New York, N. Y.
 Griffin, William J., Detroit, Mich.
 Griffling, Timothy M., Riverhead, N. Y.
 Griffith, Franklin T., Portland, Ore.
 Griffith, John Cuyler, Attica, N. Y.
 Griffith, V. A., Gulfport, Miss.
 Griffith, Warren G., Philadelphia, Pa.
 Griffiths, E. W., Marion, Iowa.
 Griggs, Herbert S., Tacoma, Wash.
 Griggs, John W. (New York, N. Y.), Paterson, N. J.
 Grimm, J. Hugo, St. Louis, Mo.
 Grinnan, Daniel, Richmond, Va.
 Grinnell, Frank W., Boston, Mass.
 Grinstead, Elmer E., Pawhuska, Okla.
 Griswold, Robertson, Baltimore, Md.
 Groesbeck, Alex. J., Detroit, Mich.
 Groot, George A., Cleveland, Ohio.
 Gross, Charles Welles, Hartford, Conn.
 Gross, Joseph, Philadelphia, Pa.
 Gross, Paul, New York, N. Y.
 Grosscup, Benjamin S., Tacoma, Wash.
 Grosscup, Peter S., Chicago, Ill.
 Grossman, Emanuel M., St. Louis, Mo.
 Grossman, Moses H., New York, N. Y.
 Grossman, William, New York, N. Y.
 Grout, Aaron H., Newport, Vt.
 Grozier, Joshua, Denver, Col.
 Grus, Edward T., South Pasadena, Cal.
 Grubb, William I., Birmingham, Ala.
 Grubbs, Charles S., Louisville, Ky.
 Gruber, Abraham, New York, N. Y.
 Gruber, W. B., Waltherboro, S. C.
 Grund, Adolph R., St. Louis, Mo.
 Guerin, M. Henry, Chicago, Ill.
 Guerin, Mark E., Chicago, Ill.
 Guernsey, Nathaniel T., New York, N. Y.
 Guesmer, Arnold L., Minneapolis, Minn.
 Guggenheimer, Charles S., New York, N. Y.
 Guheen, John J., Pocatello, Idaho.
 Guigon, A. B., Richmond, Va.
 Guillermet, Rafael, San Juan, Porto Rico.
 Guion, Owen H., New Bern, N. C.
 Gulick, Archibald A., New York, N. Y.
 Gumbes, Francis Macomb, Philadelphia, Pa.
 Gunby, A. A., Monroe, La.
 Gunn, Julien, Richmond, Va.
 Gunn, Milton S., Helena, Mont.
 Gunnison, Frank, Erie, Pa.
 Gunnison, Royal A., Juneau, Alaska.
 Gunter, B. T., Accomac, Va.
 Gunter, Julius O., Denver, Col.
 Gurley, William F., Omaha, Neb.
 Gurley, William W., Chicago, Ill.
 Gurlitz, Augustus, New York, N. Y.
 Gustin, Frank J., Salt Lake City, Utah.
 Guthrie, George W., Pittsburg, Pa.
 Guthrie, J. B., Raleigh, Miss.
 Guthrie, Thomas C., Charlotte, N. C.
 Guthrie, W. P., Twin Falls, Idaho.
 Guthrie, Walter J., Pittsburgh, Pa.
 Guthrie, William A., Durham, N. C.
 Guthrie, William D., New York, N. Y.
 Guy, Charles L., New York, N. Y.
 Haas, George, New York, N. Y.
 Haas, Joseph E., Salt Lake City, Utah.
 Hacker, Nicholas W., New York, N. Y.
 Hackett, Chauncey, Washington, D. C.
 Hadden, Alexander, Cleveland, Ohio.
 Hadley, A. M., Bellingham, Wash.
 Hadley, Eugene J., Boston, Mass.
 Hadley, Herbert S., Kansas City, Mo.
 Hadley, Hiram E., Seattle, Wash.
 Hadley, Lin. H., Bellingham, Wash.
 Haemusler, Harry H., St. Louis, Mo.
 Haff, Delbert J., Kansas City, Mo.
 Haga, Oliver O., Boise, Ida.
 Hagan, Alonzo C., Uniontown, Pa.
 Hagan, Henry M., Chicago, Ill.
 Hagar, Albert Francis, New York, N. Y.
 Hageman, Harry A., St. Paul, Minn.
 Hagen, Eric O., Crookston, Minn.
 Hager, John F., Ashland, Ky.
 Hagerman, Frank, Kansas City, Mo.
 Hagerman, James, Jr., St. Louis, Mo.
 Hagerman, Lee W., St. Louis, Mo.
 Haggard, D. A., Brainerd, Minn.
 Haggarty, Cornelius, Jr., Philadelphia, Pa.
 Haggerson, Fred H., Menominee, Mich.
 Hagood, Benjamin A., Charleston, S. C.
 Hahlo, Louis H., New York, N. Y.
 Haig, Alfred R., Philadelphia, Pa.

Haight, Thomas G., Jersey City, N. J.
 Haimen, Frank E., Cleveland, Ohio.
 Hainer, Eugene J., Lincoln, Neb.
 Haines, A., San Diego, Cal.
 Haines, Charles H., Denver, Colo.
 Haines, Frank D., Middletown, Conn.
 Haines, W. A., Troy, Ohio.
 Halbert, Clarence W., St. Paul, Minn.
 Halbert, Hugh T., St. Paul, Minn.
 Halbert, William U., Belleville, Ill.
 Haldane, Charles, New York, N. Y.
 Hale, Clarence, Portland, Me.
 Hale, Frederick, Portland, Me.
 Hale, Ledyard P., Canton, N. Y. (Albany, N. Y.)
 Hale, Richard W., Boston, Mass.
 Hale, Theodore, Ukiah, Cal.
 Hale, William B., Rochester, N. Y.
 Haley, George F., Biddeford, Me.
 Halfhill, James W., Lima, Ohio.
 Hall, Almon, Toledo, Ohio.
 Hall, Claud D., St. Louis, Mo.
 Hall, Damon E., Boston, Mass.
 Hall, Daniel, Dover, N. H.
 Hall, Edward Kimball, Boston, Mass.
 Hall, Ernest, New York, N. Y.
 Hall, F. Rockwood, Boston, Mass.
 Hall, Frank B., Worcester, Mass.
 Hall, Frank M., Lincoln, Neb.
 Hall, Frederick S., Taunton, Mass.
 Hall, George, Trenton, Mo.
 Hall, Harry Alvan, Ridgway, Pa.
 Hall, Henry A. L., New Haven, Conn.
 Hall, Henry C. (Washington, D. C.),
 Colorado Springs, Col.
 Hall, Homer, St. Louis, Mo.
 Hall, James H., Detroit, Mich.
 Hall, James Parker, Chicago, Ill.
 Hall, Judson S., Washington, D. C.
 Hall, L. E., Baton Rouge, La.
 Hall, Leicester C., Bishop, Cal.
 Hall, Matthew A., Omaha, Neb.
 Hall, William M., Memphis, Tenn.
 Hall, William M., Pittsburg, Pa.
 Hallam, Oscar, St. Paul, Minn.
 Haller, Charles W., Omaha, Nebr.
 Halliday, Wilbur T., Hartford, Conn.
 Hallman, E. L., Norristown, Pa.
 Halloran, James Ambrose, Boston, Mass.
 Hallowell, J. Mott, Boston, Mass.
 Halsey, Don P., Lynchburg, Va.
 Halsey, Lawrence W., Milwaukee, Wis.
 Halstead, A. S., Los Angeles, Cal.
 Halsted, Jacob, New York, N. Y.
 Haltom, Charles T., Fort Stockton, Tex.
 Halverson, George, Salt Lake City, Utah.
 Halverson, Halvor L., Minot, N. D.
 Ham, F. J., Bowdle, S. D.

Haman, B. Howard, Baltimore, Md.
 Hamby, C. C., Prescott, Ark.
 Hamer, Francis G., Lincoln, Nebr.
 Hamer, R. M., Emporia, Kans.
 Hamer, Thomas R., St. Anthony, Idaho.
 Hamill, Charles H., Chicago, Ill.
 Hamill, James L. (Columbus, Ohio),
 Welch, W. Va.
 Hamilton, A. C., Laredo, Tex.
 Hamilton, Alexander, Petersburg, Va.
 Hamilton, D. W., Sigourney, Iowa.
 Hamilton, Dexter, Corsicana, Texas.
 Hamilton, Francis E., New York, N. Y.
 Hamilton, George Earnest, Washington,
 D. C.
 Hamilton, Henry A., St. Louis, Mo.
 Hamilton, Henry DeWitt, New York, N. Y.
 Hamilton, Herman L., Egg Harbor City,
 N. J.
 Hamilton, Peter J., San Juan, P. R.
 Hamilton, Samuel K., Boston, Mass.
 Hamilton, W. Howard, Baltimore, Md.
 Hamilton, William Scott, Fort Madison,
 Iowa.
 Hamlin, Charles S., Boston Mass. (Wash-
 ington, D. C.)
 Hamlin, Clarence C., Colorado Springs,
 Col.
 Hamlin, Frank, Chicago, Ill.
 Hamlin, Hannibal E., Ellsworth, Me.
 Hammer, William C., Asheboro, N. C.
 Hammerly, Harry, Chickasha, Okla.
 Hammersley, Charles E., Milwaukee, Wis.
 Hammett, W. George, Hawley, Minn.
 Hammond, Edward M., Baltimore, Md.
 Hammond, Edwin P., Lafayette, Ind.
 Hammond, Theodore A., Atlanta, Ga.
 Hammond, William R., Atlanta, Ga.
 Hampson, Alfred A., Portland, Ore.
 Hampton, Hilton S., Tampa, Fla.
 Hampton, William Wade, Gainesville, Fla.
 Hanan, John W., La Grange, Ind.
 Hanavan, George B., Long Island City,
 N. Y.
 Hancock, W. Scott, St. Louis, Mo.
 Hand, Augustus N., New York, N. Y.
 Hand, Learned, New York, N. Y.
 Hand, Morgan, Cape May Court House,
 N. J.
 Handly, Avery, Nashville, Tenn.
 Handy, Sherman T., Sault Ste. Marie,
 Mich.
 Handy, Simeon A., Kansas City, Mo.
 Hanford, Cornelius H., Seattle, Wash.
 Hanford, Solomon, New York, N. Y.
 Hanley, Martin Franklin, Minneapolis,
 Minn.
 Hanna, Meredith, Philadelphia, Pa.

- Hanna, Richard H., Santa Fe, New Mexico.
- Hannah, Thomas C., Hattiesburg, Miss.
- Hannan, Timothy J., Milwaukee, Wis.
- Hannigan, John E., Boston, Mass.
- Hannon, Joseph Edward, Los Angeles, Cal.
- Hansbrough, G. F., Blackfoot, Idaho.
- Hansmann, Carl A., New York, N. Y.
- Hanson, Frank H., Mauston, Wis.
- Hanten, John B., Watertown, S. D.
- Happy, Cyrus, Spokane, Wash.
- Harby, Marx Edwin, New York, N. Y.
- Hardcastle, Alexander, Jr., Baltimore, Md.
- Hardin, John R., Newark, N. J.
- Harding, Charles F., Chicago, Ill.
- Harding, F. C., Greenville, N. C.
- Harding, W. L., Sioux City, Iowa.
- Hardon, Henry W., New York, N. Y.
- Hardy, Charles J., New York, N. Y.
- Hardy, Leslie C., Phoenix, Ariz.
- Hare, Montgomery, New York, N. Y.
- Hargest, William M., Harrisburg, Pa.
- Harker, Oliver A., Champaign, Ill.
- Harkins, George W., Philadelphia, Pa.
- Harkins, George W., Jr., Philadelphia, Pa.
- Harkins, Thomas J., Ashville, N. C.
- Harkins, Walter S., Prestonsburg, Ky.
- Harkless, James H., Kansas City, Mo.
- Harlan, Henry D., Baltimore, Md.
- Harlan, John Maynard, Chicago, Ill.
- Harlen, Walter S., Hamilton, Ohio.
- Harley, Charles F., Baltimore, Md.
- Harley, Herbert, Chicago, Ill.
- Harley, J. Emile, Barnwell, S. C.
- Harlow, Leo P., Washington, D. C.
- Harman, Thomas H., Pikeville, Ky.
- Harmon, Benjamin S., New York, N. Y.
- Harmon, Judson, Cincinnati, Ohio.
- Harnsberger, George S., Harrisonburg, Va.
- Harnwell, C. P., Little Rock, Ark.
- Harnwell, Frederick W., Chicago, Ill.
- Harper, Donald, Paris, France.
- Harper, Fred., Lynchburg, Va.
- Harper, Jacob Chandler, Cincinnati, Ohio.
- Harper, John F., Milwaukee, Wis.
- Harper, Samuel A., Chicago, Ill.
- Harpham, Edwin L., Chicago, Ill.
- Harr, William R., Washington, D. C.
- Harreld, J. W., Ardmore, Okla.
- Harrell, John F., Live Oak, Fla.
- Harriman, Edward Avery, New Haven, Conn.
- Harrington, Avery D., Philadelphia, Pa.
- Harrington, David C., Scranton, Pa.
- Harrington, Howard Sawyer, New York, N. Y.
- Harrington, N. R., Bowling Green, Ohio.
- Harrington, William Watson, Dover, Del.
- Harris, Albert E., New York, N. Y.
- Harris, Bernard, Philadelphia, Pa.
- Harris, Brown, Kansas City, Mo.
- Harris, D. O., Harriman, Tenn.
- Harris, Edward, Rochester, N. Y.
- Harris, George B., Cleveland, Ohio.
- Harris, George D., St. Louis, Mo.
- Harris, George H., Rochester, N. Y.
- Harris, Henry B., Defiance, Ohio.
- Harris, Henry O., Doylestown, Pa.
- Harris, Ira, Colorado Springs, Colo.
- Harris, John M., Scranton, Pa.
- Harris, John T., Harrisonburg, Va.
- Harris, Maxwell S., New York, N. Y.
- Harris, Robert Orr, Boston, Mass.
- Harris, S. H., Oklahoma City, Okla.
- Harris, Sidney, New York, N. Y.
- Harris, Virgil McClure, St. Louis, Mo.
- Harris, W. S., West Chester, Pa.
- Harris, Walter A., Macon, Ga.
- Harris, William H., Toledo, Ohio.
- Harris, William H. J., St. Louis, Mo.
- Harrison, Edward C., San Francisco, Cal.
- Harrison, George P., Opelika, Ala.
- Harrison, J. Harvey, Pittsburgh, Pa.
- Harrison, John B., Oklahoma City, Okla.
- Harrison, Randolph, Lynchburg, Va.
- Harrison, Robert L., New York, N. Y.
- Harrison, W. Benton, Talladega, Ala.
- Harrison, William B., Denver, Col.
- Harrold, James P., Chicago, Ill.
- Harsh, George, Memphis, Tenn.
- Harsh, Griffith R., Birmingham, Ala.
- Hart, Charles A., Portland, Ore.
- Hart, Charles Henry, New York, N. Y.
- Hart, Frank William, New Orleans, La.
- Hart, Harrie E., Hartford, Conn.
- Hart, Louis E., Chicago, Ill.
- Hart, W. O., New Orleans, La.
- Hart, W. R., Iowa City, Iowa.
- Hart, William H. H., San Francisco, Cal.
- Hartenstein, G. K., Buena Vista, Colo.
- Hartfield, Joseph M., New York, N. Y.
- Hartigan, Michel A., Hastings, Nebr.
- Hartley, M. J., Xenia, Ohio.
- Hartman, Charles S., Quito, Ecuador.
- Hartman, Francis M., Tucson, Ariz.
- Hartman, Gaïen C., Pittsburgh, Pa.
- Hartman, John P., Seattle, Wash.
- Hartman, W. S., Bozeman, Mont.
- Hartman, William L., Pueblo, Col.
- Hartridge, John E., Jacksonville, Fla.
- Hartshorne, Charles H., Jersey City, N. J.
- Harvey, A. M., Topeka, Kan.
- Harvey, Thomas B., St. Louis, Mo.
- Harvison, William G., Des Moines, Iowa.
- Harward, Frederic T., Detroit, Mich.
- Harwood, Cole L., Reno, Nev.

- Harwood, Edgar N., Butte, Mont.
 Hasbrouck, Frank, Poughkeepsie, N. Y.
 Hasbrouck, Gilbert D. B., Kingston, N. Y.
 Hasbrouck, Van W., Boise, Idaho.
 Haselton, Seneca, Burlington, Vt.
 Haskell, Reuben L., New York, N. Y.
 Haskin, Lincoln B., Hempstead, N. Y.
 Haskins, David Greene, Jr., Boston, Mass.
 Haslam, Lewis S., St. Louis, Mo.
 Hastings, Allen J., Olean, N. Y.
 Hastings, George H., Crete, Nebr.
 Hastings, Gideon H., Winston-Salem, N. C.
 Hastings, Q. D., Franklin, Pa.
 Hastings, W. G., Lincoln, Neb.
 Haswell, John P., Jr., Louisville, Ky.
 Hatch, Edward W., New York, N. Y.
 Hatch, George B., Colorado Springs, Colo.
 Hatch, Harvey B., Marquette, Mich.
 Hatch, Reuben, Grand Rapids, Mich.
 Hatch, William B., Ypsilanti, Mich.
 Hatfield, Henry Reed, Philadelphia, Pa.
 Hattabaugh, M. Reese, Grangeville, Idaho.
 Haugwout, James Ard, New York, N. Y.
 Hause, J. Frank E., West Chester, Pa.
 Hausman, Albert E., St. Louis, Mo.
 Haven, Thomas E., San Francisco, Cal.
 Haviland, C. Augustus, Brooklyn, N. Y.
 Haviland, Henry M., New York, N. Y.
 Haviland, John, Jr., Phoenixville, Pa.
 Hawes, Gilbert Ray, New York, N. Y.
 Hawes, T. S., Bainbridge, Ga.
 Hawken, S. McComas, Washington, D. C.
 Hawkins, Eugene D., New York, N. Y.
 Hawkins, Horace N., Denver, Colo.
 Hawkins, John J., Prescott, Ariz.
 Hawkins, Prince A., Reno, Nev.
 Hawkins, Richard H., Pittsburgh, Pa.
 Hawkins, Roscoe O., Indianapolis, Ind.
 Hawkins, William E., Austin, Texas.
 Hawley, James H., Boise, Ida.
 Hawley, Jess B., Boise, Idaho.
 Hawthorne, D. K., Little Rock, Ark.
 Hay, Eugene G., New York, N. Y.
 Hay, Logan, Springfield, Ill.
 Hayden, Albert F., Boston, Mass.
 Hayden, Elmer M., Tacoma, Wash.
 Hayden, James H., Washington, D. C.
 Haydon, William G., East Las Vegas, N. Mex.
 Hayes, Alfred, Ithaca, N. Y.
 Hayes, James H., Jr., Atlantic City, N. J.
 Hayes, John B., Rochelle, Ill.
 Hayes, Joseph K., Jr., Boston, Mass.
 Hayes, P. H., Phoenix, Ariz.
 Hayes, Samuel W., Oklahoma City, Okla.
 Hayes, William A., Milwaukee, Wis.
 Haymond, W. E., Sutton, W. Va.
 Haymond, William T., Muncie, Ind.
 Haynes, H. N., Greeley, Col.
 Haynsworth, Henry J., Greenville, S. C.
 Hays, Arthur Garfield, New York, N. Y.
 Hays, Daniel P., New York, N. Y.
 Hays, Frank M., Binghamton, N. Y.
 Hays, Samuel H., Boise, Ida.
 Hayt, Charles D., Denver, Col.
 Hayter, Oscar, Dallas, Ore.
 Haywood, George P., Lafayette, Ind.
 Hazel, John R., Buffalo, N. Y.
 Hazelton, Dallas M., Gouverneur, N. Y.
 Hazard, Vernon, Monongahela, Pa.
 Head, James D., Texarkana, Ark.
 Head, John B. (Greensburg), Philadelphia, Pa.
 Healey, J. Ward, Leominster, Mass.
 Healey, Robert E., Plattsburgh, N. Y.
 Healy, John J., Chicago, Ill.
 Healy, Robert E., Bennington, Vt.
 Heard, Nathan, Boston, Mass.
 Heath, James Elliott, Norfolk, Va.
 Hebard, Frederic S., Chicago, Ill.
 Hechmer, John L., Grafton, W. Va.
 Heckendorf, Walter C., Denver, Colo.
 Hedges, Job E., New York, N. Y.
 Hedrick, Joseph G., Hailey, Idaho.
 Heebner, Charles, Philadelphia, Pa.
 Heffernan, John J., Woonsocket, R. I.
 Heidingsfeld, Ben L., Cincinnati, Ohio.
 Helligman, Otto Robert, Philadelphia, Pa.
 Heilner, Joseph J., Baker City, Ore.
 Heine, M. Casewell, Newark, N. J.
 Heino, John R., Duluth, Minn.
 Helsel, T. Bayard, Delaware City, Del.
 Helser, Henry A., New York, N. Y.
 Heiserman, C. B., Pittsburgh, Pa.
 Heitman, Charles L., Spirit Lake, Idaho.
 Heller, E. F., Wilkes-Barre, Pa.
 Heller, Charles E., Boston, Mass.
 Helm, Lynn, Los Angeles, Cal.
 Hemenway, Alfred, Boston, Mass.
 Hemenway, Charles R., Honolulu, Hawaii.
 Hemingway, Wilson E., Little Rock, Ark.
 Hemlock, Daniel J., Waukesha, Wis.
 Hemmens, Henry J., New York, N. Y.
 Hemphill, Joseph, West Chester, Pa.
 Hempstead, Clark, Minneapolis, Minn.
 Henderson, D. C., Lima, Ohio.
 Henderson, D. S., Aiken, S. C.
 Henderson, Daniel B., Washington, D. C.
 Henderson, G. D., Little Rock, Ark.
 Henderson, George, Philadelphia, Pa.
 Henderson, Hiram Hunt, Ogden, Utah.
 Henderson, John J., Meadville, Pa.
 Henderson, John M., Cleveland, Ohio.
 Henderson, R. A., Altoona, Pa.
 Henderson, Robert C., Norway, Mich.

- Henderson, Robert R., Cumberland, Md.
 Henderson, William G., Washington, D. C.
 Henderson, Wm. O., Columbus, Ohio.
 Hendren, W. M., Winston-Salem, N. C.
 Hendricks, John Albert, Fosston, Minn.
 Hendricks, Philip A., Boston, Mass.
 Hengstler, Louis T., San Francisco, Cal.
 Henning, Edward J., San Diego, Cal.
 Henning, Robert, Fairbury, Ill.
 Henry, Burt W., New Orleans, La.
 Henry, O. V., Lebanon, Pa.
 Henry, George F., Des Moines, Iowa.
 Henry, Patrick, Monticello, Ark.
 Henry, Randolph, Roanoke, Va.
 Henry, Thomas M., Washington, D. C.
 Henshaw, John, Providence, R. I.
 Hensley, Charles G., New York, N. Y.
 Henson, J. O., Martinsburg, W. Va.
 Hepburn, C. J., Philadelphia, Pa.
 Hepburn, Charles M., Bloomington, Ind.
 Herbert, John, Boston, Mass.
 Herbert, R. Beverly, Columbia, S. C.
 Herdman, William H., Omaha, Nebr.
 Hereford, Frank H., Tucson, Ariz.
 Herman, John A., Harrisburg, Pa.
 Herman, Samuel A., Winsted, Conn.
 Hermann, John C., Cincinnati, Ohio.
 Hernandez, José Conrado, San Juan, P. R.
 Herndon, Charles W., Kingman, Ariz.
 Herold, S. L., Shreveport, La.
 Herr, Daniel C., Harrisburg, Pa.
 Herr, Willis B., Seattle, Wash.
 Herrick, D. Cady, Albany, N. Y.
 Herrick, John J., Chicago, Ill.
 Herrick, Myron T., Cleveland, Ohio.
 Herrick, Robert F., Boston, Mass.
 Herrick, Robert T., Kansas City, Mo.
 Herrick, Samuel, Washington, D. C.
 Herriman, Alric R., Ogdensburg, N. Y.
 Herrington, Cass E., Denver, Col.
 Herrington, Fred, Denver, Col.
 Herron, Joseph C., Kokomo, Ind.
 Herron, William C., Washington, D. C.
 Hersey, Arthur U., Boston, Mass.
 Hersey, Henry J., Denver, Col.
 Hertz, A. J., St. Paul, Minn.
 Hertsog, D. M., Uniontown, Pa.
 Hervey, Henry C., Wheeling, W. Va.
 Hervey, James M., Roswell, N. M.
 Herzberg, Max, Philadelphia, Pa.
 Herzog, Paul M., New York, N. Y.
 Heselton, George W., Gardiner, Me.
 Hessberg, Albert, Albany, N. Y.
 Hetrick, John N., Lancaster, Pa.
 Hettrick, John T., New York, N. Y.
 Heusaler, Charles W., Baltimore, Md.
 Hewitt, Harrison, New Haven, Conn.
 Hewitt, Luther R., Philadelphia, Pa.
 Hewitt, Thomas D., New York, N. Y.
 Heyman, Lester I., St. Louis, Mo.
 Heyn, Bernard G., New York, N. Y.
 Heyn, Herbert A., New York, N. Y.
 Hibberd, D. P., Philadelphia, Pa.
 Hice, Agnew, Beaver, Pa.
 Hickey, James R., St. Paul, Minn.
 Hickey, M. E., Albuquerque, N. Mex.
 Hickman, Arthur W., Buffalo, N. Y.
 Hickox, Charles R., New York, N. Y.
 Hicks, J. D., Altoona, Pa.
 Hicks, E. Randolph, Norfolk, Va.
 Hicks, Thurston T., Henderson, N. C.
 Hicks, Yale, San Antonio, Texas.
 Hieatt, Clarence C., Louisville, Ky.
 Hlester, Isaac, Reading, Pa.
 Higbee, Harry, Pittsfield, Ill.
 Higby, Clinton D., Erie, Pa.
 Higginbotham, C. C., Buckhannon, W. Va.
 Higgins, Edwin W., Norwich, Conn.
 Higgins, John C., Seattle, Wash.
 Higgins, Joseph C., Fayetteville, Tenn.
 Higgins, Richard T., Winsted, Conn.
 Higgins, William E., Lawrence, Kan.
 Hight, Clarence Albert, Boston, Mass.
 Higinbotham, H. M., Chicago, Ill.
 Hildreth, Melvin A., Fargo, N. D.
 Hill, Arthur Dehon, Boston, Mass.
 Hill, David W., Poplar Bluff, Mo.
 Hill, Donald Mackay, Boston, Mass.
 Hill, Gale S., Albany, Ore.
 Hill, George, New York, N. Y.
 Hill, George E., Bridgeport, Conn.
 Hill, H. W., Atlanta, Ga.
 Hill, Henry W., Buffalo, N. Y.
 Hill, J. P., San Angelo, Texas.
 Hill, James E., Livingston, Texas.
 Hill, John Philip, Baltimore, Md.
 Hill, John W., Chicago, Ill.
 Hill, Joseph M., Fort Smith, Ark.
 Hill, Samuel, Portland, Ore.
 Hill, Thomas J., Murphy, N. C.
 Hilles, William S., Wilmington, Del.
 Hilliard, J. V., Newark, Ohio.
 Hills, George E., Boston, Mass.
 Himel, René H., Franklin, La.
 Hinckley, F. E., Shanghai, China.
 Hinckley, Frank L., Providence, R. I.
 Hinckley, John C., Philadelphia, Pa.
 Hine, Charles P., Cleveland, Ohio.
 Hines, Clark B., Bellville, Ohio.
 Hines, Edward W., Louisville, Ky. (Washington, D. C.)
 Hines, T. D., Jackson, Mo.
 Hines, Walker D., New York, N. Y.
 Hinkle, Thornton M., Cincinnati, Ohio.
 Hinkley, John, Baltimore, Md.

- Hinman, Harvey D., Binghamton, N. Y.
 Hinrichs, Alfred E., New York, N. Y.
 Hinrichs, Fred W., New York, N. Y.
 Hinton, Edward W., Chicago, Ill.
 Hipple, Henry, Lock Haven, Pa.
 Hirsch, Harold, Atlanta, Ga.
 Hirsch, Hugo, Brooklyn, N. Y.
 Hirsch, J. E., Vicksburg, Miss.
 Hirschberg, Henry, Newburgh, N. Y.
 Hirschberg, M. H., Newburgh, N. Y.
 Hirsch, J., Vicksburg, Miss.
 Hirst, Anthony A., Philadelphia, Pa.
 Hisecock, Frank H., Syracuse, N. Y.
 Hisky, Thomas Foley, Baltimore, Md.
 Histed, Clifford, Kansas City, Mo.
 Hitch, Mayhew R., New Bedford, Mass.
 Hitchcock, George C., St. Louis, Mo.
 Hitchcock, Loranus E., Boston, Mass.
 Hitchcock, William Harold, Boston, Mass.
 Hitchings, Hector M., New York, N. Y.
 Hite, D. R., Topeka, Kans.
 Hitt, Isaac Reynolds, Washington, D. C.
 Hitt, Rector C., Ottawa, Ill.
 Hitz, William, Washington, D. C.
 Hixson, Virgil L., Manistique, Mich.
 Hoadly, George, Cincinnati, Ohio.
 Hoag, Parker H., Chicago, Ill.
 Hoague, Theodore, Boston, Mass.
 Hoban, Owen A., Gardner, Mass.
 Hobart, Ralph W., Gering, Nebr.
 Hobbs, Elon S., New York, N. Y.
 Hobbs, W. C. G., Lexington, Ky.
 Hobein, Frank A., St. Louis, Mo.
 Hochstadter, Harry C., Philadelphia, Pa.
 Hocker, J. W., Los Angeles, Cal.
 Hodgdon, C. W., Hoquiam, Wash.
 Hodge, J. Aspinwall, New York, N. Y.
 Hodges, Frank B., Syracuse, N. Y.
 Hodges, George Clarendon, Boston, Mass.
 Hodges, George L., Denver, Col.
 Hodges, Vernon E., Washington, D. C.
 Hodges, William O., Tallahassee, Fla.
 Hodges, William V., Denver, Col.
 Hodghead, Beverly L., San Francisco, Cal.
 Hodgkins, T. Ellett, New York, N. Y.
 Hodgson, J. M., Deadwood, S. D.
 Hoefler, Henry A., Philadelphia, Pa.
 Hoes, Ernest P., New York, N. Y.
 Hoffecker, Francis H., Wilmington, Del.
 Hoffheimer, Harry M., Cincinnati, Ohio.
 Hoffke, Charles, Omaha, Nebr.
 Hoffman, Charles W., Cincinnati, Ohio.
 Hoffman, John D., Bethlehem, Pa.
 Hoffman, Roy, Chandler, Okla.
 Hofmayer, I. J., Albany, Ga.
 Hogan, Frank J., Washington, D. C.
 Hogan, George M., St. Albans, Vt.
 Hogan, Granville, St. Louis, Mo.
 Hogan, John E., Taylorville, Ill.
 Hogate, Enoch G., Bloomington, Ind.
 Hogeboom, Henry, New York, N. Y.
 Hogg, Charles E., Point Pleasant, W. Va.
 Hogsett, Thomas H., Cleveland Ohio.
 Hogsett, William S., Kansas City, Mo.
 Hogue Arthur S., Plattsburgh, N. Y.
 Hogue, James E., Hot Springs, Ark.
 Hogueland, W. E., Yates Centre, Kans.
 Hohfeld, Wesley H., New Haven, Conn.
 Hoke, George, St. Paul, Minn.
 Hoke, John W., Chambersburg, Pa.
 Holbrook, Alfred H., New York, N. Y.
 Holbrook, Ralph S., Toledo, Ohio.
 Holbrook, T. J., Galveston, Texas.
 Holcomb, A. T., Portsmouth, Ohio.
 Holcomb, Alfred E., New York, N. Y.
 Holden, Frederick William, Ansonia, Conn.
 Holden, Henry M., Corpus Christi, Tex.
 Holding, A. M., West Chester, Pa.
 Holding, Sam, Columbia, Tenn.
 Holdom, Jesse, Chicago, Ill.
 Holland, Bert E., Boston, Mass.
 Holland, Edward Everett, Suffolk, Va.
 Holland, Rush L., Colorado Springs, Colo.
 Hollen, Richard H., Chicago, Ill.
 Holliday, John Hodgman, St. Louis, Mo.
 Holliday, Robert L., El Paso, Texas.
 Holliday, W. B., Casper, Wyo.
 Hollingsworth, Charles R., Ogden, Utah.
 Hollis, Allen, Concord, N. H.
 Hollis, W. H., Forest Grove, Ore.
 Hollister, Howard O., Cincinnati, Ohio.
 Hollister, R. A., Oshkosh, Wis.
 Holloway, William L., Helena, Mont.
 Holman, Frederick V., Portland, Ore.
 Holman, George Wilson, Rochester, Ind.
 Holman, R. C., Barnwell, S. C.
 Holman, W. A., Charleston, S. C.
 Holme, Peter H., Denver, Colo.
 Holmes, George, New York, N. Y.
 Holmes, John E., Cincinnati, Ohio.
 Holmes, Northrup R., Troy, N. Y.
 Holzman, Henry B., Guthrie Center, Iowa.
 Holt, Andrew, St. Paul, Minn.
 Holt, George C., New York, N. Y.
 Holt, Richard S., Beaver, Pa.
 Holt, Roscoe T., Portland, Me.
 Holt, William G., Kansas City, Mo.
 Holway, Melvin Smith, Augusta, Me.
 Homans, Robert, Boston, Mass.
 Homer, Francis T., New York, N. Y.
 Homes, Henry F., New York, N. Y.
 Homnes, George P., Crosby, N. D.
 Hon, Daniel, Fort Smith, Ark.
 Hood, Arthur M., Indianapolis, Ind.
 Hood, James E., Philadelphia, Pa.
 Hood, Louis, Newark, N. J.
 Hook, Inghram D., Kansas City, Mo.

- Hook, William C., Leavenworth, Kans.
 Hooker, Warren B., Fredonia, N. Y.
 Hookway, C. W., Granville, N. D.
 Hooper, Joseph Lawrence, Battle Creek, Mich.
 Hooper, Moses, Oshkosh, Wis.
 Hooper, S. Henry, Boston, Mass.
 Hooton, Elliott R., Indianapolis, Ind.
 Hoover, George P., Washington, D. C.
 Hope, Walter E., New York, N. Y.
 Hopkins, Albert J., Chicago, Ill.
 Hopkins, Arthur E., Louisville, Ky.
 Hopkins, Stiles, Atlanta, Ga.
 Hopkins, Theodore E., Burlington, Vt.
 Hopkins, William R., Cleveland, Ohio.
 Hoppaugh, A. L., Salt Lake City, Utah.
 Hopwood, E. F., Uniontown, Pa.
 Horack, H. C., Iowa City, Iowa.
 Horan, Michael J., New York, N. Y.
 Hornblower, George S., New York, N. Y.
 Hornbrook, Henry H., Indianapolis, Ind.
 Horne, Mallory F., Jasper, Fla.
 Horner, Henry, Chicago, Ill.
 Horsey, Charles Lee, Ploche, Nev.
 Horwitz, George Q., Philadelphia, Pa.
 Hosack, George M., Pittsburgh, Pa.
 Hosea, Lewis M., Cincinnati, Ohio.
 Hostetter, J. D., Bowling Green, Mo.
 Hotchkiss, William Horace, New York, N. Y.
 Hottenstein, Marcus S., Washington, D. C.
 Houck, Stanley B., Minneapolis, Minn.
 Hough, Charles M., New York, N. Y.
 Hough, Franklin H., Washington, D. C.
 Hough, Warwick M., St. Louis, Mo.
 Houghton, Frank W., Milwaukee, Wis.
 Houston, David W., Aberdeen, Miss.
 Houston, J. D., Wichita, Kan.
 Houston, Samuel M., Meridian, Miss.
 Housum, Hugh W., Decatur, Ill.
 Howard, Archibald, Binghamton, N. Y.
 Howard, Charles McH., Baltimore, Md.
 Howard, Charles Morris, Baltimore, Md.
 Howard, Clinton W., Bellingham, Wash.
 Howard, Edwin J., Cincinnati, Ohio.
 Howard, George H., Washington, D. C.
 Howard, T. J., Greeley, Nebr.
 Howard, Volney E., Lynchburg, Va.
 Howard, Williams S., Xenia, Ohio.
 Howe, Elmer P., Boston, Mass.
 Howe, James B., Seattle, Wash.
 Howe, Thomas Francis, Chicago, Ill.
 Howe, Walter Bruce, Washington, D. C.
 Howe, William Reed, Orange, N. J.
 Howell, Benjamin Rogers, Salt Lake City, Utah.
 Howell, Charles M., Kansas City, Mo.
 Howell, J. L., St. Louis, Mo.
 Howell, James A., Ogden City, Utah.
 Howell, R. Boyle C., Nashville, Tenn.
 Howland, Clarence, Catskill, N. Y.
 Howland, Fred A., Montpelier, Vt.
 Howland, Paul, Cleveland, Ohio.
 Howry, Charles B. (Washington, D. C.), Oxford, Miss.
 Howson, Charles, Philadelphia, Pa.
 Howson, Charles H., Philadelphia, Pa.
 Howson, Hubert, New York, N. Y.
 Howze, Henry R., Birmingham, Ala.
 Hoyne, Thomas M., Chicago, Ill.
 Hoyt, Frank M., Milwaukee, Wis.
 Hoyt, Henry M., Reno, Nev.
 Hoyt, James H., Cleveland, Ohio.
 Hoyt, John P., East Seattle, Wash.
 Hoyt, Samuel E., New Haven, Conn.
 Hubachek, Frank E., Minneapolis, Minn.
 Hubachek, Louis A., Minneapolis, Minn.
 Hubbard, Harry, New York, N. Y.
 Hubbard, Lealie E., Denver, Colo.
 Hubbard, Nelson C., Wheeling, W. Va.
 Hubbard, William P., Wheeling, W. Va.
 Hubbell, Platte, Trenton, Mo.
 Huddleston, M. P., Paragould, Ark.
 Huddy, George H., Jr., Providence, R. I.
 Hudnall, George B., Superior, Wis.
 Hudson, E. M., New Orleans, La.
 Hudson, Frederick M., Miami, Fla.
 Hudson, James A., New York, N. Y.
 Hudson, Samuel H., Boston, Mass.
 Hudson, T. F., Springfield, Ohio.
 Huey, Arthur B., Philadelphia, Pa.
 Huff, C. Floyd, Hot Springs, Ark.
 Hugg, Martin M., Indianapolis, Ind.
 Huggins, W. O., Houston, Texas.
 Hughes, Adrian, Baltimore, Md.
 Hughes, Allen, Memphis, Tenn.
 Hughes, Charles E. (Washington, D. C.), New York, N. Y.
 Hughes, Clinton B., West Union, Iowa.
 Hughes, D. H., Paducah, Ky.
 Hughes, E. O., Seattle, Wash.
 Hughes, George T., Columbia, Tenn.
 Hughes, John T., Boston, Mass.
 Hughes, Robert M., Norfolk, Va.
 Hughes, Thomas, Baltimore, Md.
 Hughes, William J., Washington, D. C.
 Hughes, William L., New Orleans, La.
 Hughes, William W., Welch, W. Va.
 Huidekoper, Reginald S., Washington, D. C.
 Hulbert, G. Murray, New York, N. Y.
 Hulbert, Robert A., Seattle, Wash.
 Hulett, C. E., Ft. Scott, Kans.
 Hull, Charles Hadlai, New London, Conn.
 Hull, D. D., Jr., Roanoke, Va.

- Hull, Hadlai A., New London, Conn.
 Hull, James M., Jr., Augusta, Ga.
 Humburg, Andrew P., Chicago, Ill.
 Hume, F. Charles, Jr., Houston, Tex.
 Humm, James C., Des Moines, Iowa.
 Humes, Augustine L., New York, N. Y.
 Hummeland, Andrew, Chicago, Ill.
 Hummer, John S., Chicago, Ill.
 Humphrey, Alexander P., Louisville, Ky.
 Humphrey, Burt Jay, Jamaica, N. Y.
 Humphrey, James V., Junction City, Kan.
 Humphreys, J. M., Atoka, Okla.
 Humphreys, John B., Paterson, N. J.
 Humphreys, T. H., Fayetteville, Ark.
 Humphries, John E., Cincinnati, Ohio.
 -Humrichouse, Harry H., Hagerstown, Md.
 Hundley, Oscar R., Birmingham, Ala.
 Huneke, William A., Spokane, Wash.
 Hungerford, Victor W., Colorado Springs, Colo.
 Hunsaker, William J., Los Angeles, Cal.
 Hunsicker, Charles O., Allentown, Pa.
 Hunt, Carleton, New Orleans, La.
 Hunt, Charles B., Coshocton, Ohio.
 Hunt, Charles J., Cincinnati, Ohio.
 Hunt, G. D., Dallas, Tex.
 Hunt, George J., Bridgeport, Nebr.
 Hunt, Henry C., Newark, N. J.
 Hunt, I. H., Newberry, S. C.
 Hunt, John E. S., Worcester, Mass.
 Hunt, Loton S., Utica, N. Y.
 Hunt, W. E., Houston, Texas.
 Hunt, William H., Helena, Mont.
 Hunter, Ernest Howard, Philadelphia, Pa.
 Hunter, Frederick C., New York, N. Y.
 Hunter, Henry C., New York, N. Y.
 Hunter, Joseph W., California, Mo.
 Hunter, William, Tampa, Fla.
 Hunter, William R., Kankakee, Ill.
 Huntington, J. P., Norwich, Conn.
 Hunton, Epps, Jr., Richmond, Va.
 Huntress, George W., San Antonio, Tex.
 Hurd, Harry B., Chicago, Ill.
 Hurd, Henry N., Claremont, N. H.
 Hurlbut, E. W., Denver, Colo.
 Hurlbutt, Henry F., Boston, Mass.
 Hurley, F. E., Findlay, Ohio.
 Hurley, Michael A., Wausau, Wis.
 Hurley, Michael B., St. Paul, Minn.
 Hurrell, Alfred, Newark, N. J.
 Hurtubia, Francis, Jr., Boston, Mass.
 Huse, Robert Selden, New York, N. Y.
 Husting, Bonduel Albert, Fond du Lac, Wis.
 Hasting, Paul O., Mayville, Wis.
 Huston, A. H., Guthrie, Okla.
 Huston, John A., Steubenville, Ohio.
 Huston, W. Clay, Bellefontaine, Ohio.
 Hutchings, Charles Frederick, Kansas City, Mo.
 Hutchings, Henry M., Boston, Mass.
 Hutchins, Edward W., Boston, Mass.
 Hutchins, Francis S., New York, N. Y.
 Hutchins, James C., Chicago, Ill.
 Hutchinson, Barton B., Trenton, N. J.
 Hutchinson, Charles L., Portland, Me.
 Hutchinson, E. L., Lexington, Ky.
 Hutchinson, W. R., Salt Lake City, Utah.
 Hutchison, William Easton, Garden City, Kan.
 Hutton, Frank S., Los Angeles, Cal.
 Hutton, William E., Denver, Colo.
 Hyatt, W. S., Parsons, Kans.
 Hyde, Alvan Waldo, Hartford, Conn.
 Hyde, Charles C., Chicago, Ill.
 Hyde, James W., Chicago, Ill.
 Hyde, Simeon, Charleston, S. C.
 Hyde, Wesley W., Grand Rapids, Mich.
 Hyde, William W., Hartford, Conn.
 Hydrick, D. E., Spartanburg, S. C.
 Hylan, John F., Brooklyn, N. Y.
 Hynson, N. Thornton, Washington, D. C.
 Hyner, E. M., Chicago, Ill.
 Ickes, Harold L., Chicago, Ill.
 Iddings, Daniel W., Dayton, Ohio.
 Ierardi, Rocco, New Haven, Conn.
 Imbrie, A. M., Pittsburgh, Pa.
 Imperatori, Reginald J., New York, N. Y.
 Imdsen, F. W., St. Louis, Mo.
 Ingalls, Melville E., New York, N. Y.
 Ingalsbe, Grenville M., Hudson Falls, N. Y.
 Ingersoll, Alvan F., Cleveland, Ohio.
 Ingersoll, George, Duluth, Minn.
 Ingles, Paul Renau, Phoenix, Ariz.
 Ingraham, George L., New York, N. Y.
 Ingraham, Robert J., Kansas City, Mo.
 Ingraham, William M., Portland, Me.
 Ingram, Edwin J., Boulder, Colo.
 Ingram, Harry M., Potadam, N. Y.
 Ingram, John Wharton, New York, N. Y.
 Ingram, R. P., San Antonio, Tex.
 Innes, Charles H., Boston, Mass.
 Irvin, I. T., Jr., Washington, Ga.
 Irvine, Frank, Ithaca, N. Y.
 Irvine, R. T., Big Stone Gap, Va.
 Irving, Samuel Crozier, Chicago, Ill.
 Irwin, Ernest C., Pittsburgh, Pa.
 Irwin, George M., Colorado Springs, Colo.
 Irwin, Harry D., Minneapolis, Minn.
 Irwin, R. W., Washington, Pa.
 Irwin, Richard W., Northampton, Mass.
 Isaacs, Lewis M., New York, N. Y.
 Isenbuth, William, Redfield, S. D.
 Ives, Howard R., Portland, Me.

- Ives, J. Moss, Danbury, Conn.
 Ives, Morse, Chicago, Ill.
 Jack, George Whitfield, Shreveport, La.
 Jackman, Ralph W., Madison, Wis.
 Jackson, Anson B., Minneapolis, Minn.
 Jackson, Arthur E. L., Philadelphia, Pa.
 Jackson, Arthur L., Baltimore, Md.
 Jackson, Clifford L., Muskogee, Okla.
 Jackson, Edgar, Freeport, N. Y.
 Jackson, George H., Buffalo, S. D.
 Jackson, Grant, Los Angeles, Cal.
 Jackson, John G., New York, N. Y.
 Jackson, John L., Chicago, Ill.
 Jackson, Malcolm, Charleston, W. Va.
 Jackson, Robert, Concord, N. H.
 Jackson, Robert F., Nashville, Tenn.
 Jackson, Russell, Milwaukee, Wis.
 Jackson, S. Hollister, Barre, Vt.
 Jackson, Stephen G., Clarksburg, W. Va.
 Jackson, William M., Bedford, Iowa.
 Jacobs, Frank, Allentown, Pa.
 Jacobs, Philip W., Boston, Mass.
 Jacobs, Thomas P., New Martinsville, W. Va.
 Jacobs, Walter H., Chicago, Ill.
 Jacobson, Gabe, Meridian, Miss.
 Jacobson, I. N., New York, N. Y.
 James, Benjamin F., Bowling Green, Ohio.
 James, C. D., Eureka Springs, Ark.
 James, Eldon R., Columbia, Mo.
 James, Francis B., Cincinnati, Ohio (Washington, D. C.).
 James, Henry A., Doylestown, Pa.
 James, J. W., Hastings, Nebr.
 James, Lee Warren, Dayton, Ohio.
 James, Richard C., Falls City, Nebr.
 Jamison, Dorsey A., St. Louis, Mo.
 James, A. L., St. Paul, Minn.
 Janney, Stuart S., Baltimore, Md.
 January, William L., Detroit, Mich.
 Janvier, Francis deH., Wilmington, Del.
 Janvier, George, New Orleans, La.
 Jacques, Alfred, Duluth, Minn.
 Jarrett, Delta I., Chicago, Ill.
 Jarrott, William L., Los Angeles, Cal.
 Jay, DeLancey K., Albany, N. Y.
 Jaycox, Walter H., Patchogue, N. Y.
 Jayne, H. LaBarre, Philadelphia, Pa.
 Jayne, Trafford N., Minneapolis, Minn.
 Jaynes, Robert T., Wallhalla, S. C.
 Jefferis, Albert W., Omaha, Nebr.
 Jeffery, Oscar W., New York, N. Y.
 Jeffords, Tracy L., Harpers Ferry, W. Va.
 Jeffrey, A. L., Canon City, Colo.
 Jeffries, James H., Pineville, Ky.
 Jeffries, James T., Astoria, Ore.
 Jeffries, John L., Norfolk, Va.
 Jeffries, L. E., Washington, D. C.
 Jeffris, Malcolm G., Janesville, Wis.
 Jelke, Ferdinand, Jr., Cincinnati, Ohio.
 Jenckes, Thomas A., Providence, R. I.
 Jenifer, H. Courtney, Towson, Md.
 Jenkins, Frank E., Oxford, Mich.
 Jenkins, James G., Milwaukee, Wis.
 Jenkins, John E., Wilkes-Barre, Pa.
 Jenkins, Theodore F., Philadelphia, Pa.
 Jenks, Almet F., Brooklyn, N. Y.
 Jenks, James E., St. Cloud, Minn.
 Jenks, Robert D., Philadelphia, Pa.
 Jenney, William S., New York, N. Y.
 Jennings, Albert T., Fulton, N. Y.
 Jennings, Andrew J., Fall River, Mass.
 Jennings, Everett, Chicago, Ill.
 Jennings, Frederic B., New York, N. Y.
 Jennings, G. B., Shenandoah, Iowa.
 Jennings, Robert P., Los Angeles, Cal.
 Jensen, Constan, Los Angeles, Cal.
 Jenson, David, Ogden, Utah.
 Jenswold, John, Jr., Duluth, Minn.
 Jerome, F. J., Cleveland, Ohio.
 Jess, Frank B., Camden, N. J.
 Jessen, Paul, Nebraska City, Nebr.
 Joseph, M. E., Davenport, Wash.
 Jessup, Henry Wynans, New York, N. Y.
 Jevne, Franz, International Falls, Minn.
 Jewett, Charles L., New Albany, Ind.
 Jewett, Stephen S., Laconia, N. H.
 Job, Thomas C., Los Angeles, Cal.
 Joffe, Marcus E., New York, N. Y.
 Johnson, A. R., Ironton, Ohio.
 Johnson, Albin Nicholas, Freeport, N. Y.
 Johnson, Alvin F., Omaha, Nebr.
 Johnson, Arthur T., Boston, Mass.
 Johnson, Arthur T., Gouverneur, N. Y.
 Johnson, Benjamin N., Boston, Mass.
 Johnson, Charles A., Burley, Idaho.
 Johnson, Charles Edward, Oklahoma City, Okla.
 Johnson, Charles F., Waterville, Me.
 Johnson, Charles P., St. Louis, Mo.
 Johnson, Clyde B., Charleston, W. Va.
 Johnson, Clyde P., Cincinnati, Ohio.
 Johnson, Edwin J., New York, N. Y.
 Johnson, Elmer, St. Albans, Vt.
 Johnson, Frank G., Kansas City, Mo.
 Johnson, Frank O., McPherson, Kan.
 Johnson, George B., West Chester, Pa.
 Johnson, George S., Alhambra, Cal.
 Johnson, Guy H., Washington, D. C.
 Johnson, H. E., Dallas, Tex.
 Johnson, H. W., Montgomery City, Mo.
 Johnson, Henry Wiley, Savannah, Ga.
 Johnson, Henry Z., Boise, Idaho.
 Johnson, Homer H., Cleveland, Ohio.
 Johnson, Howard Cooper, Philadelphia, Pa.

- Johnson, J. E., Park City, Utah.
 Johnson, J. William, Cincinnati, Ohio.
 Johnson, James, Minot, N. D.
 Johnson, James G., Columbus, Ohio.
 Johnson, James G., Knoxville, Tenn.
 Johnson, James V., Little Rock, Ark.
 Johnson, John D., St. Louis, Mo.
 Johnson, John Washington, West Grove, Pa.
 Johnson, Lewis B., Denver, Colo.
 Johnson, Melvin M., Boston, Mass.
 Johnson, Reginald H., Boston, Mass.
 Johnson, Richard H., Boise, Ida.
 Johnson, Royal C., Aberdeen, S. D.
 Johnson, Simeon M., Cincinnati, Ohio.
 Johnson, Thomas Lynn, Cleveland, Ohio.
 Johnson, W. J., Houston, Texas.
 Johnson, Waldo P., Osceola, Mo.
 Johnson, William A., Portland, Ore.
 Johnson, William M., Hackensack, N. J.
 Johnson, William T., Kansas City, Mo.
 Johnston, Floyd A., Springfield, Ohio.
 Johnston, Forney, Birmingham, Ala.
 Johnston, Fred. S., Franklin, N. C.
 Johnston, O. G., Clarkdale, Minn.
 Johnston, W. M., Billings, Mont.
 Johnstone, F. B., Chicago, Ill.
 Joliffe, Eliaha H., Ontario, Cal.
 Jonas, M. B., St. Louis, Mo.
 Jones, Arthur, Detroit, Mich.
 Jones, Asabel W., Burg Hill, Ohio.
 Jones, Boyd B., Boston, Mass.
 Jones, Burr W., Madison, Wis.
 Jones, Clem J., Athens, Tenn.
 Jones, Clyde H., Crawfordsville, Ind.
 Jones, Edwin F., Manchester, N. H.
 Jones, Elliott H., Kansas City, Mo.
 Jones, Frank Cameron, Houston, Texas.
 Jones, Frank M., Georgetown, Del.
 Jones, G. Von Phul, Philadelphia, Pa.
 Jones, George M., Reading, Pa.
 Jones, George S., Macon, Ga.
 Jones, George W., Montgomery, Ala.
 Jones, Granville D., Waumau, Wis.
 Jones, Gustave, Newport, Ark.
 Jones, H. Llewelyn, Meade, Kans.
 Jones, Henry Craig, Morgantown, W. Va.
 Jones, Howell, Topeka, Kan.
 Jones, Ira B., Lancaster, S. C.
 Jones, J. Levering, Philadelphia, Pa.
 Jones, James C., St. Louis, Mo.
 Jones, James Collins, Philadelphia, Pa.
 Jones, John C., Orlando, Fla.
 Jones, John J., Chanute, Kan.
 Jones, John W., Blackfoot, Idaho.
 Jones, Joseph H., Orlando, Fla.
 Jones, Julian S., Baltimore, Md.
 Jones, Lewis E., Freckenridge, Minn.
 Jones, Matt B., Boston, Mass.
 Jones, Mattison B., Los Angeles, Cal.
 Jones, Nathaniel N., Boston, Mass.
 Jones, Philos S., Wilburton, Okla.
 Jones, Richard A., St. Louis, Mo.
 Jones, Richard Saxe, Seattle, Wash.
 Jones, Richmond L., Reading, Pa.
 Jones, Robert M., Knoxville, Tenn.
 Jones, S. J., Carrollton, Mo.
 Jones, S. P., Marshall, Texas.
 Jones, Stephen R., Boston, Mass.
 Jones, Thomas J., Boise, Idaho.
 Jones, W. Clyde, Chicago, Ill.
 Jones, W. Martin, Jr., Rochester, N. Y.
 Jones, Walter Catesby, New Orleans, La.
 Jones, William Clayton, Camden, N. J.
 Jonson, Jerrold A., Madisonville, Ky.
 Jordan, Harry P., Waco, Texas.
 Jordan, Lee M., Atlanta, Ga.
 Jordan, Michael J., Boston, Mass.
 Josephthal, Sidney L., New York, N. Y.
 Joalin, Ralph Edgar, Boston, Mass.
 Joslyn, Charles D., New York, N. Y.
 Joslyn, Charles M., Hartford, Conn.
 Joslyn, Lee E., Detroit, Mich.
 Joss, Frederick A., Indianapolis, Ind.
 Jouett, Edward S., Louisville, Ky.
 Jourdan, Morton, St. Louis, Mo.
 Joyce, Hazelton A., Jr., Cambridge, Md.
 Joyner, Herbert C., Great Barrington, Mass.
 Judah, Noble B., Chicago, Ill.
 Judah, Noble B., Jr., Chicago, Ill.
 Jude, George W., Jamestown, N. Y.
 Judge, Harold E., Sioux Falls, S. D.
 Judson, Frederick N., St. Louis, Mo.
 Junkin, Francis T. A., Chicago, Ill.
 Junkin, Joseph deF., Philadelphia, Pa.
 Justice, E. J., San Francisco, Cal.
 Jutten, L. W., Los Angeles, Cal.
 Kaas, Otto L., Britton, S. D.
 Kaercher, Aaront Benjamin, Ortonville, Minn.
 Kagey, O. L., Beloit, Kan.
 Kahle, Frederick L., Pittsburgh, Pa.
 Kahle, James S., Bluefield, W. Va.
 Kahn, Louis L., New York, N. Y.
 Kallach, Samuel, Newark, N. J.
 Kallish, Edwin L., New York, N. Y.
 Kane, Arthur M. A., Mamaroneck, N. Y.
 Kane, Francis Fisher, Philadelphia, Pa.
 Kane, John H., Bartlesville, Okla.
 Kane, John Kent, Philadelphia, Pa.
 Kane, Matthew J., Oklahoma City, Okla.
 Kane, Michael N., Warwick, N. Y.
 Kannally, Michael V., Chicago, Ill.
 Kantner, H. F., Reading, Pa.
 Kaplan, Nathan D., Chicago, Ill.

- Kapper, Isaac M., Brooklyn, N. Y.
 Kappler, Charles J., Washington, D. C.
 Karcher, George H., Denver, Colo.
 Karlin, Alexander, New York, N. Y.
 Karrow, Herman Henry, Milwaukee, Wis.
 Kasberg, Alex., Lewiston, Idaho.
 Kassulker, Paul G., Cleveland, Ohio.
 Katz, Maurice L., Worcester, Mass.
 Katzenbach, Edward L., Trenton, N. J.
 Kauffman, Ralph, Ellensburg, Wash.
 Kaumheimer, William, Milwaukee, Wis.
 Kay, James I., Pittsburg, Pa.
 Kay, William E., Jacksonville, Fla.
 Kearful, Francis J., Gante No. 1, Mexico City, Mexico.
 Keasbey, Edward Q., Newark, N. J.
 Keasbey, George M., Newark, N. J.
 Keating, Frank L., Pellston, Mich.
 Keating, Patrick M., Jamaica Plain, Mass.
 Keating, Thomas J., Columbus, Ohio.
 Keaton, James R., Oklahoma City, Okla.
 Keeble, John B., Nashville, Tenn.
 Keech, Edward P., Jr., Baltimore, Md.
 Keedy, Edwin R., Chicago, Ill.
 Keedy, Martin L., Hagerstown, Md.
 Keefe, Harry L., Walthill, Nebr.
 Keehn, Roy D., Chicago, Ill.
 Keeler, P. E., Long Beach, Cal.
 Keeley, William E., Deer Lodge, Mont.
 Keena, James T., Detroit, Mich.
 Keenan, Thomas J., Binghamton, N. Y.
 Keene, George Frederick, Philadelphia, Pa.
 Keene, Walter A., Seattle, Wash.
 Keeney, Willard F., Grand Rapids, Mich.
 Kealing, Francis V., San Francisco, Cal.
 Kefover, Charles F., Uniontown, Pa.
 Kegley, W. B., Wytheville, Va.
 Kehde, Alfred, St. Louis, Mo.
 Kehoe, John E., Chicago, Ill.
 Kehr, Edward C., St. Louis, Mo.
 Keith, Ernest R., Indianapolis, Ind.
 Keith, John D., Gettysburg, Pa.
 Keith, Thomas R., Fairfax, Va.
 Kelby, James E., Los Angeles, Cal.
 Keleher, William T., New York, N. Y.
 Kellar, Chambers, Lead City, S. D.
 Kelleher, D. M., Fort Dodge, Iowa.
 Kelleher, John, Seattle, Wash.
 Kellen, William V., Cohasset, Mass.
 Keller, C. A., San Antonio, Tex.
 Keller, Charles B., Omaha, Neb.
 Keller, Ferdinand W., New York, N. Y.
 Keller, William H., Lancaster, Pa.
 Kelley, C. F., Butte, Mont.
 Kelley, James Edward, Boston, Mass.
 Kelley, James W., Denver, Colo.
 Kelley, W. E., Socorro, N. M.
 Kelley, William H., Richmond, Ind.
 Kellogg, Abraham L., Oneonta, N. Y.
 Kellogg, Frank B., St. Paul, Minn.
 Kellogg, Frederic R., New York, N. Y.
 Kellogg, Harry L., Milwaukee, Wis.
 Kellogg, John P., Waterbury, Conn.
 Kellogg, Joseph A., New York, N. Y.
 Kellogg, L. Ladin, New York, N. Y.
 Kellogg, Virgil K., Watertown, N. Y.
 Kelly, Edward J., New York, N. Y.
 Kelly, Edward P., Carrington, N. D.
 Kelly, George Thomas, Chicago, Ill.
 Kelly, Harry E., (Washington, D. C.) Denver, Col.
 Kelly, James A., New York, N. Y.
 Kelly, James J., Chicago, Ill.
 Kelly, John A., Oconomowoc, Wis.
 Kelly, John J. M., Chicago, Ill.
 Kelly, John P., Scranton, Pa.
 Kelly, Joseph L., Bristol, Va.
 Kelly, Thomas, Boston, Mass.
 Kelly, William J., Brooklyn, N. Y.
 Kelsey, Charles H., Norfolk, Nebr.
 Kelsey, Fred W., Joplin, Mo.
 Kelton, Otis N., St. Albans, Vt.
 Kemp, Bolivar E., Amite, La.
 Kemp, D. H., Monett, Mo.
 Kemp, John W., Los Angeles, Cal.
 Kemp, W. Thomas, Baltimore, Md.
 Kemper, Frank H., Cincinnati, Ohio.
 Kemper, Jackson B., Milwaukee, Wis.
 Kempton, Edwin, Jr., Brooklyn, N. Y.
 Kendall, Messmore, New York, N. Y.
 Kendrick, M. B., Louisville, Ky.
 Kendrick, Murdoch, Philadelphia, Pa.
 Kenesaly, Michael, Stamford, Conn.
 Kenna, Edward D., New York, N. Y.
 Kennedy, C. B., Canton, S. D.
 Kennedy, Harry Cobb, Camden, N. J.
 Kennedy, Howard, Lincoln, Neb.
 Kennedy, J. A. C., Omaha, Neb.
 Kennedy, J. L., Sioux City, Iowa.
 Kennedy, Michael J., Ishpeming, Mich.
 Kennedy, Richard L., St. Paul, Minn.
 Kennedy, T. Blake, Cheyenne, Wyo.
 Kennedy, William, Naugatuck, Conn.
 Kennerly, W. T., Knoxville, Tenn.
 Kenneson, Thaddeus Davis, New York, N. Y.
 Kenney, Richard R., Dover, Del.
 Kennon, Newell K., St. Clairsville, Ohio.
 Kenny, Thomas J., Boston, Mass.
 Kent, Charles A., Detroit, Mich.
 Kent, Edward, Phoenix, Ariz.
 Kent, Edward J., Pittsburgh, Pa.
 Kent, Henry P., Lancaster, N. H.
 Kent, Ralph S., Buffalo, N. Y.
 Kenyon, Alan D., New York, N. Y.
 Kenyon, J. Miller, Washington, D. C.
 Kenyon, Robert Nelson, New York, N. Y.

- Kenyon, William H., New York, N. Y.
 Keogh, Martin J., New Rochelle, N. Y.
 Keogh, Thomas F., New York, N. Y.
 Keppelman, John A., Reading, Pa.
 Kepperley, James E., Toledo, Ohio.
 Kern, John W. (Washington, D. C.), Indianapolis, Ind.
 Kernan, Benjamin W., New Orleans, La.
 Kernan, John D., Utica, N. Y.
 Kerns, A. G., Wallace, Idaho.
 Kerr, James B., Portland, Ore.
 Kerr, Robert J., Chicago, Ill.
 Kerr, Thomas B., New York, N. Y.
 Kerr, William A., Minneapolis, Minn.
 Kersten, George, Chicago, Ill.
 Kerwin, J. C., Neenah, Wis.
 Kerz, Paul, Galena, Ill.
 Kessler, Harry, Boise, Idaho.
 Ketcham, Herbert T., Brooklyn, N. Y.
 Ketcham, William A., Indianapolis, Ind.
 Keyes, Harlow W., Indianola, Neb.
 Keyser, William W., St. Louis, Mo.
 Kibler, Edward, Newark, Ohio.
 Kidder, Camillus G., New York, N. Y.
 Kiddle, Alfred W., New York, N. Y.
 Kiley, Michael H., Cazenovia, N. Y.
 Killian, James R., Denver, Col.
 Killilea, Henry J., Milwaukee, Wis.
 Killitta, John M., Toledo, Ohio.
 Killpack, W. H., Council Bluffs, Iowa.
 Kilshelmer, James B., New York, N. Y.
 Kilshelmer, James B., Jr., New York, N. Y.
 Kimball, A. B., Greensboro, N. C.
 Kimball, B. F., Chicago, Ill.
 Kimball, Benjamin, Boston, Mass.
 Kimball, Daniel T., New York, N. Y.
 Kimball, Douglas B., Salt Lake City, Utah.
 Kimball, Edward B., Washington, D. C.
 Kimball, George Everett, Boston, Mass.
 Kimball, Harry Grant, New York, N. Y.
 Kimball, Ralph, Lander, Wyo.
 Kimbrough, D. M., Oxford, Miss.
 Kimpel, B. D., Fort Smith, Ark.
 King, Alexander C., Atlanta, Ga.
 King, Archibald, Washington, D. C.
 King, Arno W., Ellsworth, Me.
 King, Arthur Marcus, New York, N. Y.
 King, C. C., Brockton, Mass.
 King, David Bennett, New York, N. Y.
 King, Edmund B., Sandusky, Ohio.
 King, Frederick D., New Orleans, La.
 King, Frederick P., New York, N. Y.
 King, George A., Washington, D. C.
 King, Harry E., Toledo, Ohio.
 King, Henry A., Springfield, Mass.
 King, James E., St. Louis, Mo.
 King, John H., Muskogee, Okla.
 King, Robert J., Zanesville, Ohio.
 King, Robert R., Greensboro, N. C.
 King, Samuel B., Chicago, Ill.
 King, Will R. (Washington, D. C.), Portland, Ore.
 King, William B., Washington, D. C.
 Kingland, Thomas A., Lake Mills, Iowa.
 Kingston, Harry T., Philadelphia, Pa.
 Kinkaid, M. P., O'Neill, Neb.
 Kinkead, William C., Cheyenne, Wyo.
 Kinley, Isaac H., Kansas City, Mo.
 Kinley, James B., Philadelphia, Pa.
 Kinney, Guy W., Toledo, Ohio.
 Kinsey, William M., St. Louis, Mo.
 Kinsler, James C., Omaha, Neb.
 Kinsley, Samuel H., Colorado Springs, Colo.
 Kinsworthy, E. B., Little Rock, Ark.
 Kiplinger, John H., Rushville, Ind.
 Kirby, Daniel Noyes, St. Louis, Mo.
 Kirby, Joe, Sioux Falls, S. D.
 Kirby, William F., Little Rock, Ark.
 Kirchwey, George W., New York, N. Y.
 Kirk, Clyde, Des Moines, Iowa.
 Kirk, Walter H., Peoria, Ill.
 Kirkpatrick, William S., Easton, Pa.
 Kirlin, J. Parker, New York, N. Y.
 Kirshner, Charles H., Kansas City, Mo.
 Kirtland, Michel, New York, N. Y.
 Kitch, John W., South Bend, Ind.
 Kitchel, William Lloyd, New York, N. Y.
 Kittell, John A., Green Bay, Wis.
 Kittle, Warren B., Philippi, W. Va.
 Kleeberg, Gordon S. P., New York, N. Y.
 Klein, E. A., Elko, Nev.
 Klein, Henry, Kingston, N. Y.
 Klein, Jacob B., Bridgeport, Conn.
 Kleiner, Charles, New Haven, Conn.
 Kleinschmidt, R. A., Oklahoma City, Okla.
 Kline, Alfred R., Moultrie, Ga.
 Kline, C. W., Hazleton, Pa.
 Kline, Julius Reynolds, Chicago, Ill.
 Kline, M. A., Cheyenne, Wyo.
 Kline, Virgil P., Cleveland, Ohio.
 Kling, Joseph, New York, N. Y.
 Klock, George Sheldon, Albuquerque, N. M.
 Klotz, Solon T., Toledo, Ohio.
 Knaebel, Ernest, Washington, D. C.
 Knapp, Clyde W., Lyons, N. Y.
 Knapp, Henry Alonzo, Scranton, Pa.
 Knapp, Martin A., Washington, D. C.
 Knapp, Walter Henry, Canandaigua, N. Y.
 Knappen, Loyal E., Grand Rapids, Mich.
 Knappen, Stuart E., Grand Rapids, Mich.
 Knauf, John, Jamestown, N. D.
 Knaus, Frederick J., Philadelphia, Pa.
 Knauth, Antonio, New York, N. Y.
 Kneisley, Russell, Carrollton, Mo.
 Knight, E. C., Livingston, Tenn.

- Knight, Edward W., Charleston, W. Va.
 Knight, Harry S., Sunbury, Pa.
 Knight, Henry F., Boston, Mass.
 Knight, Hervey S., Washington, D. C.
 Knight, Peter O., Tampa, Fla.
 Knight, Robert A., Springfield, Mass.
 Knight, Samuel, San Francisco, Cal.
 Knight, Walter A., Cincinnati, Ohio.
 Knoeppel, Harold C., New York, N. Y.
 Knowles, Charles S., Boston, Mass.
 Knowlton, Daniel W., Colorado Springs, Colo.
 Knowlton, Frank W., Boston, Mass.
 Knowlton, William J., Portland, Me.
 Knox, James C., Monticello, Ark.
 Knox, John Mason, New York, N. Y.
 Knox, Philander C. (Washington, D. C.), Pittsburgh, Pa.
 Knox, Robert L., New Orleans, La.
 Kocourek, Albert, Chicago, Ill.
 Koepke, Charles A., Chicago, Ill.
 Kohl, Henry, Newburgh, N. Y.
 Kohler, Otto, Meadville, Pa.
 Kohn, Aaron, Louisville, Ky.
 Kohn, Walter Thomas, New York, N. Y.
 Kompel, Morris, Chicago, Ill.
 Kontz, Ernest C., Atlanta, Ga.
 Koon, Will A., Minneapolis, Minn.
 Koonce, C. D., Chadbourne, N. C.
 Koonce, Charles, Jr., Youngstown, Ohio.
 Koons, George H., Muncie, Ind.
 Korf, E. C., Newton, Iowa.
 Kornegay, W. H., Vinita, Okla.
 Korne, E. B., Tracy, Minn.
 Korte, George W., Seattle, Wash.
 Kram, Jacob M., New York, N. Y.
 Kramer, Edward C., East St. Louis, Ill.
 Kramer, W. L., Pottsville, Pa.
 Kraus, Milton, Peru, Ind.
 Krause, James B., Williamsport, Pa.
 Krauthoff, Edwin A., Washington, D. C.
 Krauthoff, Louis C., New York, N. Y.
 Kreger, Edward A., West Point, N. Y.
 Kretzer, John W., Dayton, Ohio.
 Krelwitz, Edmund H., Aitkin, Minn.
 Kremer, J. Bruce, Butte, Mont.
 Kreps, Charles A., Parkersburg, W. Va.
 Kress, W. C., Lock Haven, Pa.
 Kreutzer, A. L., Wausau, Wis.
 Kriete, Frank L., Chicago, Ill.
 Kriete, George H., Chicago, Ill.
 Krook, Carl G., Kingman, Ariz.
 Kropf, Oscar A., Chicago, Ill.
 Kruse, Frederick W., Olean, N. Y.
 Kuebler, George J., Chicago, Ill.
 Kuhl, Max J., San Francisco, Cal.
 Kuhn, Franz C., Detroit, Mich.
 Kuhn, John J., New York, N. Y.
 Kuhns, Ezra M., Dayton, Ohio.
 Kulp, Victor H., Norman, Okla.
 Kump, H. G., Elkins, W. Va.
 Kunen, Louis, New York, N. Y.
 Kunkle, John E., Greensburg, Pa.
 Kursheedt, Manuel A., New York, N. Y.
 Kuster, Louis E., New York, N. Y.
 Kyes, Lafayette M., East Palestine, Ohio.
 Kyle, William J., Waynesburg, Pa.
 Lacey, John W., Cheyenne, Wyo.
 Lackey, Edward W., Tannersville, N. Y.
 Lackey, George W., Lawrenceville, Ill.
 Lackey, Thomas S., Uniontown, Pa.
 Lackner, Francis, Chicago, Ill.
 Lackner, Joseph L., Cincinnati, Ohio.
 Lacombe, E. Henry, New York, N. Y.
 Lacy, Arthur J., Detroit, Mich.
 Ladd, Gaylord F., Richford, Vt.
 Ladd, Nathaniel W., Boston, Mass.
 Ladd, Sanford B., Kansas City, Mo.
 Ladd, Sanford W., Detroit, Mich.
 Lafferty, Joseph T., Winfield, Kans.
 Laffey, John P., Wilmington, Del.
 Laine, F. B., Clifton, Ariz.
 Laird, H. S., Milton, Fla.
 Laird, John F., Parkersburg, W. Va.
 Lally, Thomas A. E., Spokane, Wash.
 Lamar, George H., Washington, D. C.
 Lamar, Howard, Birmingham, Ala.
 Lamar, Joseph R. (Washington, D. C.), Augusta, Ga.
 Lamar, Lucius Q. C., Havana, Cuba.
 Lamar, Robert, Houston, Mo.
 Lamar, William H. (Washington, D. C.), Rockville, Md.
 Lamb, Brockenbrough, Richmond, Va.
 Lamb, G. H., Yates Centre, Kans.
 Lamb, John A., Richmond, Va.
 Lamb, N. F., Jonesboro, Ark.
 Lamb, W. J., Osceola, Ark.
 Lamb, William E., Chicago, Ill.
 Lamb, William J., Corinth, Miss.
 Lambdin, William W., Savannah, Ga.
 Lambert, Frank B., Minot, N. D.
 Lambert, William C., Omaha, Nebr.
 Lambert, Wilton J., Washington, D. C.
 Lamer, J. M., Iola, Kan.
 Lamey, William J., New York, N. Y.
 Lamontagne, O. O., Holyoke, Mass.
 L'Amoreaux, J. S., New York, N. Y.
 Lamorelle, Joseph F., Philadelphia, Pa.
 Lamson, George W., Nampa, Idaho.
 Lamson, J. S., San Francisco, Cal.
 Lancaster, Charles C., Washington, D. C.
 Lancaster, George D., Chattanooga, Tenn.
 Lancaster, William A., Minneapolis, Minn.
 Lancaster, William W., New York, N. Y.
 Land, Alfred D., New Orleans, La.

- Land, Edward M., Goldeboro, N. C.
 Landale, Russell H., New York, N. Y.
 Landau, Moses David, Vicksburg, Miss.
 Landers, Howe S., Indianapolis, Ind.
 Landis, Charles L., Lancaster, Pa.
 Landis, William P., Ardmore, Pa.
 Landon, Thad. B., Kansas City, Mo.
 Landreth, Lucius S., Philadelphia, Pa.
 Lane, Harry, Jersey City, N. J.
 Lane, Jonathan, Houston, Tex.
 Lane, Merritt, Jersey City, N. J.
 Lane, Victor H., Ann Arbor, Mich.
 Lane, Wallace R., Chicago, Ill.
 Lane, Wilfred C., Des Moines, Iowa.
 Lane, Wolcott G., New York, N. Y.
 Lange, Gustave, Jr., New York, N. Y.
 Langguth, Arthur, Portland, Ore.
 Langland, George S., International Falls, Minn.
 Langworthy, H. M., Kansas City, Mo.
 Lank, Edgar W., Philadelphia, Pa.
 Lanners, Harry W., Duluth, Minn.
 Lansden, D. L., Cookeville, Tenn.
 Lansing, Robert, Washington, D. C.
 Lapham, Oscar, Providence, R. I.
 Lapeley, Rutherford, Anniston, Ala.
 Lardner, Hubert, Ft. Scott, Kans.
 Larimer, Jeremiah B., Topeka, Kan.
 Larimore, John A., Minneapolis, Minn.
 Larkin, Robert E., Streator, Ill.
 Larned, Frank W., Wilkes-Barre, Pa.
 Larner, John B., Washington, D. C.
 LaRoche, Walter P., Portland, Ore.
 Larrabee, Frank D., Minneapolis, Minn.
 Larrabee, Sydney B., Portland, Me.
 Larson, Oscar J., Duluth, Minn.
 Larzelere, Nicholas H., Norristown, Pa.
 Lashly, Jacob M., St. Louis, Mo.
 Lasker, Henry, Springfield, Mass.
 Laskey, John E., Washington, D. C.
 Lasli, Leon, New York, N. Y.
 Latham, Carl R., Chicago, Ill.
 Lathrop, Gardiner, Chicago, Ill.
 Latimer, W. Carroll, Atlanta, Ga.
 Laubenstein, Frank J., Ashland, Pa.
 Lauchheimer, Sylvan Hayes, Baltimore, Md.
 Lauer, Edgar J., New York, N. Y.
 Laughlin, Frank C., Buffalo, N. Y.
 Laurisch, C. J., Mankato, Minn.
 Lauterbach, Edward, New York, N. Y.
 Law, J. E., Clarksburg, W. Va.
 Law, William T., Kansas City, Mo.
 Lawler, Clement A., Kansas City, Mo.
 Lawler, Oscar, Los Angeles, Cal.
 Lawson, Samuel McC., St. Francisville, La.
 Lawrence, Alexander A., Savannah, Ga.
 Lawrence, Edwin W., Rutland, Vt.
 Lawrence, Fred. F., Skowhegan, Me.
 Lawrence, George A., Galesburg, Ill.
 Lawrence, William H., Baltimore, Md.
 Lawson, Harley F., Hawkinsville, Ga.
 Lawson, James Marshall, Aberdeen, S. D.
 Lawson, John D., Columbia, Mo.
 Lawson, Joseph A., Albany, N. Y.
 Lawson, Martin E., Liberty, Mo.
 Lawson, William J., Philadelphia, Pa.
 Lawther, Harry P., Dallas, Texas.
 Lawton, Alexander R., Savannah, Ga.
 Lawton, Frederick, Boston, Mass.
 Laybourn, C. G., Minneapolis, Minn.
 Laylin, Lewis C., Columbus, Ohio.
 Lazarus, Eldon S., New Orleans, La.
 Lea, Luke (Washington, D. C.), Nashville, Tenn.
 Leach, Thomas A., Chicago, Ill.
 Leach, Will, Scranton, Pa.
 Leahy, David J., East Las Vegas, N. M.
 Leahy, John P., Boston, Mass.
 Leahy, John S., St. Louis, Mo.
 Leake, Eugene W., Jersey City, N. J.
 Leake, Hunter C., New Orleans, La.
 Leake, J. Jordan, Richmond, Va.
 Leake, Walter, Richmond, Va.
 Leaken, William R., Savannah, Ga.
 Leakin, J. Wilson, Baltimore, Md.
 Learned, Myron L., Omaha, Neb.
 Leary, Edward F., Omaha, Nebr.
 Leary, William H., Salt Lake City, Utah.
 Leavitt, John Brooks, New York, N. Y.
 Leber, Samuel F., Newark, N. J.
 LeBouef, Randall James, Albany, N. Y.
 LeBosky, Jacob C., Chicago, Ill.
 Leckie, A. E. L., Washington, D. C.
 Ledbetter, H. A., Ardmore, Okla.
 Ledyard, Henry, Detroit, Mich.
 Lee, Blair (Washington, D. C.), Silver Spring, Md.
 Lee, Blewett, Chicago, Ill.
 Lee, Bradner W., Los Angeles, Cal.
 Lee, Chancer G., Ames, Iowa.
 Lee, David F., Norwich, N. Y.
 Lee, Eddy O., Salt Lake City, Utah.
 Lee, Edward T., Chicago, Ill.
 Lee, Edwin W., St. Louis, Mo.
 Lee, Jay M., Kansas City, Mo.
 Lee, John F., St. Louis, Mo.
 Lee, John L. G., Baltimore, Md.
 Lee, Lawrence H., Montgomery, Ala.
 Lee, R. D., Sumter, S. C.
 Lee, T. Bailey, Burley, Idaho.
 Lee, Thomas Zaslaur, Providence, R. I.
 Lee, William A., Blackfoot, Idaho.
 Lee, William H., Honesdale, Pa.
 Lee, William L., Fayetteville, W. Va.

- Leeds, Theodore Edward, New York, N. Y.
 Lees, Edward, Winona, Minn.
 Leete, Thomas T., Jr., Detroit, Mich.
 Le Fevre, Charles H., Dover, Del.
 Leffingwell, Russell C., New York, N. Y.
 Legendre, James, New Orleans, La.
 Leggat, John C., Lowell, Mass.
 Legge, George W., Jr., Oakland, Md.
 Lehmaier, James S., New York, N. Y.
 Lehman, Irving, New York, N. Y.
 Lehman, Isidore H., New York, N. Y.
 Lehmann, Frederick W., St. Louis, Mo.
 Lehmann, Sears, St. Louis, Mo.
 Leigh, Norville R., Mobile, Ala.
 Leighton, K. E., Minot, N. D.
 Leiser, Andrew Albright, Lewisburg, Pa.
 Lemann, Monte M., New Orleans, La.
 Leming, A. G., Waldron, Ark.
 Lemle, Gustave, New Orleans, La.
 Lenehan, Daniel J., Dubuque, Iowa.
 L'Engle, E. J., Jacksonville, Fla.
 Lennasen, Nicholas F., New York, N. Y.
 Leo, Leopold, New York, N. Y.
 Leonard, Frederick M., Philadelphia, Pa.
 Leovy, Victor, New Orleans, La.
 Lermen, J. J., San Francisco, Cal.
 Lesh, Paul E., Washington, D. C.
 Leslie, A. Mitchell, New York, N. Y.
 Lesser, Jacob J., New York, N. Y.
 Lester, Wharton E., Washington, D. C.
 Letton, Charles B., Lincoln, Neb.
 Leuschner, E. P., Pottsville, Pa.
 Leverett, George V., Boston, Mass.
 Leveroni, Frank, Boston, Mass.
 Levenson, Oliver, Hazen, N. D.
 Levett, Benjamin A., New York, N. Y.
 Levi, Joseph C., New York, N. Y.
 Levi, Julius C., Philadelphia, Pa.
 Levin, Jacob, Chicago, Ill.
 Levine, Alfred T., Nashville, Tenn.
 Levinson, Salmon O., Chicago, Ill.
 Lewis, Howard O. (London, England),
 Schenectady, N. Y.
 Levy, Abraham, New York, N. Y.
 Levy, Aubrey, Seattle, Wash.
 Levy, Felix H., New York, N. Y.
 Levy, Joseph L., New York, N. Y.
 Levy, Leo, New York, N. Y.
 Levy, Moe, Norfolk, Va.
 Levy, Samuel, New York, N. Y.
 Levy, William B., Baltimore, Md.
 Lewenberg, Solomon, Boston, Mass.
 Lewers, Charles R., San Francisco Cal.
 Lewis, Francis D., Philadelphia, Pa.
 Lewis, Fulton, Washington, D. C.
 Lewis, George Calvert, Pittsburg, Pa.
 Lewis, Henry M., Madison, Wis.
 Lewis, J. Hamilton, Chicago, Ill.
 Lewis, John F., Philadelphia, Pa.
 Lewis, John W., Opelousas, La.
 Lewis, Lawrence, Denver, Colo.
 Lewis, Loran L., Jr., Buffalo, N. Y.
 Lewis, Merton E., Rochester, N. Y.
 Lewis, Nathan B., West Kingston, R. I.
 Lewis, Robert E., Denver, Col.
 Lewis, T. L., San Diego, Cal.
 Lewis, W. Draper, Philadelphia, Pa.
 Lewis, W. M., Little Rock, Ark.
 Lewis, W. R., Montezuma, Iowa.
 Lewis, Walter Stanford, New Orleans, La.
 Lewis, William, London, Ky.
 Lewis, Wm. H., Boston, Mass.
 Lewis, William I., Paterson, N. J.
 Lewkowitz, Louis S., New York, N. Y.
 Lex, Charles E., Philadelphia, Pa.
 Lhove, Harold Rogers, New York, N. Y.
 Libby, Jesse F., Gorham, N. H.
 Lichtenstein, Solomon K., New York,
 N. Y.
 Lide, L. D., Marion, S. C.
 Liebmann, Walter H., New York, N. Y.
 Light, John H., South Norwalk, Conn.
 Lightfoot, Joseph, Honolulu, Hawaii.
 Lightner, Clarence A., Detroit, Mich.
 Lightner, William H., St. Paul, Minn.
 Ligon, R. F., Montgomery, Ala.
 Lile, William Minor, Charlottesville, Va.
 Lillenthal Jesse W., San Francisco, Cal.
 Lillard, J. W., Decatur, Tenn.
 Lillie, Charles S., Lowell, Mass.
 Lillick, Ira S., San Francisco, Cal.
 Lillie, Walter I., Grand Haven, Mich.
 Lilly A. A., Charleston, W. Va.
 Lilly, Major J., Moberly, Mo.
 Lincoln, Albert L., Boston, Mass.
 Lincoln, Alexander, Boston, Mass.
 Lincoln, Arba N., Fall River, Mass.
 Lindabury, Richard V., Newark, N. J.
 Linde, H. J., Stanley, N. D.
 Lindheim, Norvin R., New York, N. Y.
 Lindley, Curtis H., San Francisco, Cal.
 Lindley, Erasmus O., St. Paul, Minn.
 Lindley, Frank, Danville, Ill.
 Lindley, Walter C., Danville, Ill.
 Lindsey, James J., Baltimore, Md.
 Lindsay, John D., New York, N. Y.
 Lindsey, Edward, Warren, Pa.
 Lindsey, Washington E., Portales, N. M.
 Lindsley, Henry A., Denver, Col.
 Linebaugh, D. H., Muskogee, Okla.
 Lines, George, Milwaukee, Wis.
 Lingensfelder, C. H., Boise, Idaho.
 Linkins, Charles, Washington, D. C.
 Linkins, William H., Washington, D. C.
 Linn, Andrew M., Washington, Pa.
 Linn, Philip B., Lewisburg, Pa.

- Linn, Stahle, Salisbury, N. C.
 Linn, William B., Philadelphia, Pa.
 Linscott, Frank K., Boston, Mass.
 Linthicum, Charles C., Chicago, Ill.
 Lintott, Thomas J., Newark, N. J.
 Lionberger, Isaac H., St. Louis, Mo.
 Lipschuts, Ephraim, Philadelphia, Pa.
 Lipscomb, A. D., Beaumont, Tex.
 Little, Amos R., Boston, Mass.
 Little, Charles A., Hagerstown, Md.
 Little, Charles B., Scranton, Pa.
 Little, James, Fall River, Mass.
 Little, James C., Raleigh, N. C.
 Little, John E., Colorado Springs, Colo.
 Little, John Mays, Towson, Md.
 Little, Peter C., Globe, Ariz.
 Littlefield, James B., Providence, R. I.
 Littlefield, Nathan W., Providence, R. I.
 Littleton, Frank L., Indianapolis, Ind.
 Littleton, Jesse M., Chattanooga, Tenn.
 Littleton, William G., Philadelphia, Pa.
 Liveright, Alfred M., Clearfield, Pa.
 Livingston, D. W., Nebraska City, Nebr.
 Lloyd, Francis V., Philadelphia, Pa.
 Lloyd, James T., Shelbyville, Mo.
 Lloyd, Malcolm, Jr., Philadelphia, Pa.
 Lloyd, Warren E., Los Angeles, Cal.
 Lobdell, Charles E., Great Bend, Kans.
 Lobingier, Charles S., Shanghai, China.
 Locke, Eugene P., Dallas, Texas.
 Locke, James W., Jacksonville, Fla.
 Locke, Maurice E., Dallas, Texas.
 Lockhart, H. W., Pocatello, Idaho.
 Lockhart, James M., Ely, Nev.
 Lockhart, S. S., Milbank, S. D.
 Lockhart, William B., Galveston, Texas.
 Lockwood, Charles C., New York, N. Y.
 Lockwood, Charles D., Stamford, Conn.
 Lockwood, Harry A., Detroit, Mich.
 Lockwood, Virgil H., Indianapolis, Ind.
 Loeb, Clarence, Philadelphia, Pa.
 Loeb, Joseph P., Los Angeles, Cal.
 Loeb, Leo, Charleston, W. Va.
 Loesch, Frank J., Chicago, Ill.
 Loevinger, Gustavus, St. Paul, Minn.
 Loewenthal, Max, Los Angeles, Cal.
 Loewy, Benno, New York, N. Y.
 Logan, S. M., Grand Junction, Colo.
 Logue, J. Washington, Philadelphia, Pa.
 Logue, John Gibson, Houston, Texas.
 Loker, William Merrill, Leonardtown, Md.
 Lonabaugh, E. E., Sheridan, Wyo.
 Lonergan, Augustine, Hartford, Conn.
 Long, Armistead R., Lynchburg, Va.
 Long, Benjamin F., Statesville, N. C.
 Long, Breckinridge, St. Louis, Mo.
 Long, Chester I., Wichita, Kansas.
 Long, Martin Henry, Jacksonville, Fla.
 Long, Percy V., San Francisco, Cal.
 Long, Theodore K., Chicago, Ill.
 Long, Walter Pratt, New York, N. Y.
 Longtellow, G. N., Oklahoma City, Okla.
 Longstreth, Mayne R., Philadelphia, Pa.
 Loofbourow, Frederick C., Salt Lake City, Utah.
 Loomis, George L., Fremont, Neb.
 Loomis, N. H., Omaha, Neb.
 Loomis, Seymour O., New Haven, Conn.
 Looney, William H., Portland, Me.
 Loos, Nevin J., Bethlehem, Pa.
 Loose, Jacob C., Mauch Chunk, Pa.
 Lord, Arthur, Boston, Mass.
 Lord, C. A., Beaumont, Texas.
 Lord, Charles E., Chicago, Ill.
 Lord, Frank E., Chicago, Ill.
 Lord, Irving P., Waupaca, Wis.
 Lord, J. Walter, Baltimore, Md.
 Lord, John S., Chicago, Ill.
 Lorenzen, Ernest G., Minneapolis, Minn.
 Lorie, J. L., Kansas City, Mo.
 Loring, Victor J., Boston, Mass.
 Loring, William Caleb, Boston, Mass.
 Lothrop, Thornton K., Jr., Boston, Mass.
 Louchheim, Samuel K., Philadelphia, Pa.
 Loucks, Burton H., Lowville, N. Y.
 Loucks, Percy F., Watertown, S. D.
 Loucks, William Dewey, Schenectady, N. Y.
 Loughborough, J. F., Little Rock, Ark.
 Lourie, Moses S., Boston, Mass.
 Love, C. Morup N., Wilbur, Wash.
 Love, Thomas B., Dallas, Texas.
 Lovell, Charles H., San Francisco, Cal.
 Lovett, A. B., Sylvania, Ga.
 Lovett, Robert S., New York, N. Y.
 Loving, Lucas P., Washington, D. C.
 Low, Walter Carroll, New York, N. Y.
 Lowden, Frank O., Oregon, Ill.
 Lowe, Russell G., Oklahoma City, Okla.
 Lowell, James A., Boston, Mass.
 Lowell, John, Boston, Mass.
 Lowther, William Earle, New York, N. Y.
 Lowy, Charles F., Chicago, Ill.
 Loyall, W. H. T., Norfolk, Va.
 Loyd, William H., Philadelphia, Pa.
 Lozier, Ralph F., Carrollton, Mo.
 Lucas, John H., Kansas City, Mo.
 Lucas, Thomas Edward, Tampa, Fla.
 Lucas, William J., East Las Vegas, N. M.
 Lucey, Patrick J., Springfield, Ill.
 Luckey, David Burr, New York, N. Y.
 Lucking, William, Detroit, Mich.
 Lucky, Cornelius E., Knoxville, Tenn.
 Ludlow, Benjamin H., Philadelphia, Pa.
 Ludwig, John C., Milwaukee, Wis.
 Lueck, Martin L., Juneau, Wis.

- Lueders, Henry W., Tacoma, Wash.
 Luethi, F. S., Boulder, Colo.
 Luke, Roscoe, Thomasville, Ga.
 Lukens, Wm. H. R., Philadelphia, Pa.
 Lum, Burt F., Minneapolis, Minn.
 Lund, Joseph W., Boston, Mass.
 Lundrigan, John E., Cass Lake, Minn.
 Lunt, Horace G., Colorado Springs, Col.
 Lustgarten, William, New York, N. Y.
 Lutz, Henry E., Denver, Colo.
 Lybrand, Walter A., Oklahoma City, Okla.
 Lydecker, Charles E., New York, N. Y.
 Lyders, E., San Francisco, Cal.
 Lyford, Will H., Chicago, Ill.
 Lyle, John V., Salt Lake City, Utah.
 Lyles, William H., Columbia, S. C.
 Lyman, Richard E., Providence, R. I.
 Lymer, William B., Honolulu, Hawaii.
 Lynch, Bernard E., New Haven, Conn.
 Lynch, Charles W., Charleston, W. Va.
 Lynch, Felix D., Chattanooga, Tenn.
 Lynde, Cornelius, Chicago, Ill.
 Lynn, John D., Rochester, N. Y.
 Lynn, Roscoe R., Little Rock, Ark.
 Lyon, Adrian, Perth Amboy, N. J.
 Lyon, Arthur C., Grinnell, Iowa.
 Lyon, Jay F., Elkhorn, Wis.
 Lyon, Luther M., Payette, Ida.
 Lyon, Montague, St. Louis, Mo.
 Lyon, Simon, Washington, D. C.
 Lyon, Walter, Pittsburg, Pa.
 Lyons, John D., Monticello, N. Y.
 Lyons, Martin, Kansas City, Mo.
 Lyons, William, Westbrook, Me.
 Lyster, Henry L., Detroit, Mich.
 McAdams, Francis M., Philadelphia, Pa.
 McAdoo, William, New York, N. Y.
 McAllister, W. E., Nashville, Tenn.
 McAllister, Frank W., Paris, Mo.
 McAllister, Henry, Jr., Denver, Col.
 McAllister, James T., Grand Rapids, Mich.
 McAllister, William M., Warm Springs, Va.
 McAlpine, John W., Mobile, Ala.
 McAlvay, Aaron V., Lansing, Mich.
 McAnany, Edwin S., Kansas City, Kans.
 McAnarney, John W., Boston, Mass.
 McArthur, Frank D., Birmingham, Ala.
 McAvoy, John, New York, N. Y.
 McAvoy, Malcolm, Cincinnati, Ohio.
 McBaine, J. P., Columbia, Mo.
 McBride, Robert W., Indianapolis, Ind.
 McBride, Thomas A., Salem, Ore.
 McBroom, Ralph A., Salt Lake City, Utah.
 McCabe, Ambrose F., New York, N. Y.
 McCaffrey, Joseph J., Providence, R. I.
 McCain, Farrah L., Muskogee, Okla.
 McCaleb, J. B., Batesville, Ark.
 McCall, Edward Everett, New York, N. Y.
 McCall, John E., Memphis, Tenn.
 McCall, Samuel K., York, Pa.
 McCalmont, Edward S., Washington, D. C.
 McCamant, Wallace, Portland, Oregon.
 McCamic, Charles, Wheeling, W. Va.
 McCann, Benjamin F., Dayton, Ohio.
 McCarrell, S. J. M., Harrisburg, Pa.
 McCarren, P. A., Carson City, Nev.
 McCarrick, Thomas P., Rochester, N. Y.
 McCarter, Robert H., Newark, N. J.
 McCarthy, Charles P., Boise, Idaho.
 McCarthy, Charles Eddy, Troy, N. Y.
 McCarthy, Charles T., Glen Cove, N. Y.
 McCarthy, Frederick M., Ansonia, Conn.
 McCarthy, Henry A., Philadelphia, Pa.
 McCarthy, Joseph A., Troy, N. Y.
 McCarthy, M. B., Toledo, Ohio.
 McCarty, C. A., Honesdale, Pa.
 McCarty, R. J., Dayton, Ohio.
 McCauley, William, Haverstraw, N. Y.
 McChesney, S. P., St. Louis, Mo.
 McClain, Baxter D., Iola, Kans.
 McClary, Martin E., Malone, N. Y.
 McClougherty, Bernard, Bluefield, W. Va.
 McClay, Samuel, Pittsburg, Pa.
 McClear, James L., Boise, Idaho.
 McCleary, Clayton A., Columbus, Ohio.
 McClellan, Thomas C., Birmingham, Ala.
 McClenachan, William B., Jr., Chester, Pa.
 McClenahan, Daniel H., Lincoln, Neb.
 McClenahan, William S., Brainerd, Minn.
 McClendon, James W., Austin, Tex.
 McClennen, Edward F., Boston, Mass.
 McClintock, Andrew H., Wilkes-Barre, Pa.
 McClintock, W. S., Topeka, Kan.
 McCloskey, Bernard, New Orleans, La.
 McClosky, Thomas D., Pittsburg, Pa.
 McCloud, Richard, Durango, Colo.
 McClung, William H., Pittsburg, Pa.
 McClure, Harold M., Lewisburg, Pa.
 McClure, Henry F., Seattle, Wash.
 McClure, Walter A., Seattle, Wash.
 McClure, William E., Seattle, Wash.
 McClurg, Monroe, Greenwood, Miss.
 McColl, D. D., Jr., Bennettsville, S. C.
 McCollin, Edward G., Philadelphia, Pa.
 McCollum, James H., Hope, Ark.
 McCombs, William F., New York, N. Y.
 McConlogue, James H., Des Moines (Mason City), Iowa.
 McConnaughey, W. S., Dayton, Ohio.
 McConnell, George A., Little Rock, Ark.
 McConnell, James E., Boston, Mass.
 McConnell, John E., LaCrosse, Wis.
 McCook, Anson T., Hartford, Conn.
 McCook, Philip James, New York, N. Y.

- McCord, E. S., Seattle, Wash.
 McCordie, Alfred E., Chicago, Ill.
 McCorkle, James T., Pueblo, Colo.
 McCorkle, Walter L., New York, N. Y.
 McCormick, Joseph Manson, Dallas, Tex.
 McCormick, Marshall, Roanoke, Va.
 McCormick, Robert H., Jr., Chicago, Ill.
 McCormick, Samuel B., Pittsburgh, Pa.
 McCormick, Seth T., Williamsport, Pa.
 McCouch, H. Gordon, Philadelphia, Pa.
 McCourt, John, Portland, Ore.
 McCoy, E. H., Waterloo, Iowa.
 McCoy, J. H., Pierre, S. D.
 McCoy, W. R., Inez, Ky.
 McCrahan, John H., Syracuse, N. Y.
 McCrary, A. J., Binghamton, N. Y.
 McCrea, William M., Salt Lake City, Utah.
 McCreery, James W., Greeley, Col.
 McCreight, Smith M., Reynoldsville, Pa.
 McCroskey, R. L., Colfax, Wash.
 McCrossin, William P., Birmingham, Ala.
 McCullen, Joseph P., Philadelphia, Pa.
 McCulloh, Allan, New York, N. Y.
 McCullough, Henry M., Elkton, Md.
 McCune, Henry L., Kansas City, Mo.
 McCutchen, E. J., San Francisco, Cal.
 McCutcheon, Otto E., Idaho Falls, Idaho.
 McDaniel, Henry, Demopolis, Ala.
 McDavid, Frank M., Springfield, Mo.
 McDermott, Charles J., New York, N. Y.
 McDermott, Edward J., Louisville, Ky.
 McDermott, Frank P., Jersey City, N. J.
 McDewitt, John J., Jr., Philadelphia, Pa.
 McDonald, Charles G., Omaha, Neb.
 McDonald, Charles H., Wittenberg, Wis.
 (Washington, D. C.)
 McDonald, D. D., Galveston, Tex.
 McDonald, E. E., Bemidji, Minn.
 McDonald, Edward L., Louisville, Ky.
 McDonald, J. E., Winnaboro, S. C.
 McDonald, Jesse, St. Louis, Mo.
 McDonald, John F., Boston, Mass.
 McDonald, John S., Grand Rapids, Mich.
 McDonald, Will T., Bay St. Louis, Miss.
 McDonnell, Thomas F. I., Providence, R. I.
 McDonough, Charles A., Boston, Mass.
 McDonough, Frank, Sr., Denver, Col.
 McDonough, James B., Fort Smith, Ark.
 McDonough, Martin S., Iron River, Mich.
 McDougal, D. A., Sapulpa, Okla.
 McDougall, D. C., Pocatello, Idaho.
 McDougle, Walter E., Parkersburg, W. Va.
 McDow, Thomas F., Yorkville, S. C.
 McDowell, Charles S., Jr., Eufaula, Ala.
 McDowell, James R., Jackson, Miss.
 McEachin, James S., Richmond, Texas.
 McKelthy, Victor K., Jr., New York, N. Y.
 McEwen, Willard M., Chicago, Ill.
 McFarland, Ben Holliday, Aberdeen, Miss.
 McGarry, Thomas F., Jacksonville, Fla.
 McGee, Charles A. A., San Diego, Cal.
 McGee, George A., Minot, N. D.
 McGee, J. F., Minneapolis, Minn.
 McGehee, Lucius P., Chapel Hill, N. C.
 McGeoch, Arthur N., West Allis, Wis.
 McGeorge, William, Jr., Philadelphia, Pa.
 McGilton, E. G., Omaha, Nebr.
 McGirr, Frank C., Pittsburgh, Pa.
 McGoorty, John P., Chicago, Ill.
 McGovern, Francis E., Milwaukee, Wis.
 McGovern, James P., New York, N. Y.
 McGrath, Francis Sims, New York, N. Y.
 McGrath, John B., Houtzdale, Pa.
 McGrath, John F., Waterbury, Conn.
 McGrath, John M., Princeton, W. Va.
 McGraw, Henry, Tulsa, Okla.
 McGraw, John T., Grafton, W. Va.
 McGregor, Major, Santa Barbara, Cal.
 McGuire, Frank L., New London, Conn.
 McGuire, John J., Ithaca, N. Y.
 McGuire, Murray M., Richmond, Va.
 McHaney, Edgar L., Little Rock, Ark.
 McHarg, Ormsby, New York, N. Y.
 McHarg, T. A., Boulder, Colo.
 McHendrie A. Watson, Trinidad, Colo.
 McHenry, James A., Cumberland, Md.
 McHugh, Charles A., Roanoke, Va.
 McHugh, Philip A., Detroit, Mich.
 McHugh, William D., Omaha, Neb.
 McIlvaine, Alan C., Chicago, Ill.
 McIlvaine, Tompkins, New York, N. Y.
 McIlwaine, William B., Petersburg, Va.
 McInnis, E. E., McAlester, Okla.
 McIntosh, David G., Towson, Md.
 McIntosh, David G., Jr., Towson, Md.
 McIntosh, James H., New York, N. Y.
 McIntyre, Robert Augustus, Warrenton, Va.
 McIntyre, W. A., Langdon, N. D.
 McKannay, Harry G., San Francisco, Cal.
 McKay, Douglas, Columbia, S. C.
 McKay, Kenneth L., Tampa, Fla.
 McKee, Charles J., Dayton, Ohio.
 McKee, David A., Wheeling, W. Va.
 McKee, Lanier, New York, N. Y.
 McKeegan, Charles L., Philadelphia, Pa.
 McKeegan, H. H., Cleveland, Ohio.
 McKeegan, Joseph P., Carlisle, Pa.
 McKelvey, Charles W., New York, N. Y.
 McKelvey, John Jay, New York, N. Y.
 McKelvey, Lawrence B., Saratoga Springs, N. Y. (New York City.)
 McKenna, Edward J., Pittsburgh, Pa.
 McKenna, George R., Westerly, R. I.
 McKenna, Thomas P., New York, N. Y.

- McKenney, Frederic D., Washington, D. C.
- McKenzie, H. B., Prescott, Ark.
- McKenzie, J. D., Moultrie, Ga.
- McKenzie, John, Great Falls, Mont.
- McKenzie, John C., Elizabeth, Ill.
- McKeown, John A., Chicago, Ill.
- McKeown, Tom D., Ada, Okla.
- McKevitt, Hugh K., San Francisco, Cal.
- McKillip, H. A., Bloomsburg, Pa.
- McKinley, J. W., Los Angeles, Cal.
- McKinney, Hayes, Chicago, Ill.
- McKinney, William M., Northport, N. Y.
- McKinstry, J. C., San Francisco, Cal.
- McKimson, Robert Erastus, Cleveland, Ohio.
- McKnight, A. H., Dallas, Texas.
- McKnight, Richard, Denver, Col.
- McKnight, William F., Grand Rapids, Mich.
- McLanahan, George X., Washington, D. C.
- McLanahan, J. Craig, Baltimore, Md.
- McLane, Allan, Garrison, Md.
- McLaughlin, A. A., Omaha, Nebr.
- McLaughlin, C. E., Sacramento, Cal.
- McLaughlin, George A., New York, N. Y.
- McLaughlin, Patrick J., St. Paul, Minn.
- McLaurin, Lauch., Austin, Tex.
- McLean, A. W., Lumberton, N. C.
- McLean, Donald, New York, N. Y. (Frederick, Md.)
- McLean, George P., Hartford, Conn.
- McLean, Hugh, Denver, Colo.
- McLean, J. H., Llano, Tex.
- McLellan, Hugh D., Boston, Mass.
- McLeod, Sayre, New York, N. Y.
- McLeod, W. D., Kansas City, Mo.
- McLoughlin, James J., New Orleans, La.
- McMahon, Fulton, New York, N. Y.
- McMahon, J. Sprigg, Dayton, Ohio.
- McMahon, John A., Dayton, Ohio.
- McMahon, John D., Rome, N. Y.
- McManus, M. T., Philadelphia, Pa.
- McManus, Terence J., New York, N. Y.
- McMaster, John S., Jersey City, N. J.
- McMicken, Maurice, Seattle, Wash.
- McMillan, B. F., Jr., Mobile, Ala.
- McMillan, John W., Milwaukee, Wis.
- McMillan, Philip H., Detroit, Mich.
- McMillan, Raymond J., Tacoma, Wash.
- McMillen, Alonzo B., Albuquerque, N. M.
- McMorrough, G. H., Lexington, Miss.
- McMullen, Alonzo B., Tampa, Fla.
- McMullen, Donald C., Tampa, Fla.
- McMullin, S. G., Grand Junction, Colo.
- McMurdy, Robert, Chicago, Ill.
- McMurray, Orrin K., Berkeley, Cal.
- McMurray, Will, Laramie, Wyo.
- McNaboe, James F., New York, N. Y.
- McNamara, D. W., Montello, Wis.
- McNamara, James, Detroit, Mich.
- McNary, Charles L., Salem, Ore.
- McNary, John H., Salem, Ore.
- McNeely, John D., St. Joseph, Mo.
- McNeill, Franklin, Raleigh, N. C.
- McNemer, Phillip, Little Rock, Ark.
- McNulty, William D., New York, N. Y.
- McPheeters, Samuel B., St. Louis, Mo.
- McPheeters, Thomas S., St. Louis, Mo.
- McPherson, Donald P., Gettysburg, Pa.
- McPherson, John B., Philadelphia, Pa.
- McPherson, Smith, Red Oak, Iowa.
- McQuillin, E., St. Louis, Mo.
- McRae, Thomas C., Prescott, Ark.
- McReynolds, James C. (Washington, D. C.), New York, N. Y.
- McSurely, William H., Chicago, Ill.
- McTeer, Will A., Maryville, Tenn.
- McWhorter, Hamilton, Athens, Ga.
- McWilliams, Howard, New York, N. Y.
- Maas, Charles O., New York, N. Y.
- Maass, Herbert H., New York, N. Y.
- Mabie, Clarence, Hackensack, N. J.
- Macauley, C. J., St. Louis, Mo.
- MacBride, Robert J., Neillville, Wis.
- MacChesney, Nathan William, Chicago, Ill.
- MacDade, Albert Dutton, Chester, Pa.
- MacDonald, Robert, Cumberland, Md.
- MacFarland, Henry B. F., Washington, D. C.
- MacFarland, Hugh, Topeka, Kans.
- MacFarland, Leo, Philadelphia, Pa.
- MacGill, Charles P., Pulaski, Va.
- Machen, Arthur W., Jr., Baltimore, Md.
- Machen, Lewis H., Richmond, Va.
- MacHenry, Charles A., New York, N. Y.
- MacIntyre, William Irvin, Thomasville, Ga.
- Mack, Alfred, Cincinnati, Ohio.
- Mack, Edwin S., Milwaukee, Wis.
- Mack, John H., North Adams, Mass.
- Mack, Julian W., Chicago, Ill.
- Mack, William, New York, N. Y.
- Mackall, William W., Savannah, Ga.
- Mackay, George C., St. Louis, Mo.
- Mackay, Henry, Mount Carroll, Ill.
- Mackenzie, Kenneth E., New York, N. Y.
- Mackenzie, Thomas, Baltimore, Md.
- Mackoy, Harry Brent, Covington, Ky.
- Mackoy, William H., Covington, Ky.
- MacLane, John F., Salt Lake City, Utah.
- MacLelish, John E., Chicago, Ill.
- MacLellan, George Wyeth, Los Angeles, Cal.
- MacLeod, Arthur William, Washburn, Wis.

- MacMahon, Cecil H., Newark, N. J.
 MacMillan, Herbert R., Salt Lake City, Utah.
 Macpherson, Ernest, Louisville, Ky.
 Macrum, W., Pittsburgh, Pa.
 MacSherry, Howard, Newark, N. J.
 MacVeagh, Charles, New York, N. Y.
 Madden, John, Parsons, Kan.
 Madden, Joseph, Keene, N. H.
 Madden, Terrence J., Kansas City, Mo.
 Maddin, Percy D., Nashville, Tenn.
 Maddox, George Edmondson, Rome, Ga.
 Maddox, Samuel, Washington, D. C.
 Maddox, Samuel T., Brooklyn, N. Y.
 Madigan, John B., Houlton, Me.
 Madigan, Thomas H., Jr., Manchester, N. H.
 Madison, F. D., San Francisco, Cal.
 Magavern, William J., Buffalo, N. Y.
 Magaw, Charles A., Topeka, Kan.
 Magee, Arley B., Dover, Del.
 Magee, Forrest N., Philadelphia, Pa.
 Magee, Henry W., Chicago, Ill.
 Magee, Jerome P., Omaha, Nebr.
 Magee, Walter W., Syracuse, N. Y.
 Magenia, James P., Boston, Mass.
 Magill, George T., Greenwood, S. C.
 Maginnis, S. A., Salt Lake City, Utah.
 Magoon, Charles E., Washington, D. C.
 Magruder, Caleb Clarke, Upper Marlboro, Md.
 Magruder, M. Hampton, Upper Marlboro, Md.
 Mahaffey, J. Q., Texarkana, Texas.
 Mahan, Bryan F., New London, Conn.
 Mahan, George A., Hannibal, Mo.
 Maher, Edgar A., Grand Rapids, Mich.
 Maher, James, Chicago, Ill.
 Maher, John F., Greenville, Ohio.
 Maher, Thomas F., New Orleans, La.
 Mahoney, D. O., Viroqua, Wis.
 Mahoney, Jeremiah F., Lawrence, Mass.
 Mahoney, Timothy J., Omaha, Neb.
 Mahony, Charles L., Chicago, Ill.
 Main, John F., Olympia, Wash.
 Maine, A. E., Iowa City, Iowa.
 Maina, Frederick, Chicago, Ill.
 Major, Elliott W., Jefferson City, Mo.
 Makelim, W. J., Portland, Ore.
 Makepeace, Walter D., Waterbury, Conn.
 Malcomb, George R., Pittsburg, Kans.
 Malevinsky, Moses Louis, New York, N. Y.
 Malin, Proctor K., Ashland, Ky.
 Mallon, Guy, Cincinnati, Ohio.
 Mallory, Rollin B., Milwaukee, Wis.
 Malone, Dana, Boston, Mass.
 Malone, Thomas H., Jr., Nashville, Tenn.
 Maloney, William P., New York, N. Y.
 Maloy, William Milnes, Baltimore, Md.
 Maltbie, Theodore M., Hartford, Conn.
 Maltbie, William H., Baltimore, Md.
 Manahan, James, Minneapolis, Minn.
 Manchester, William C., Detroit, Mich.
 Mandel, David, Jr., Philadelphia, Pa.
 Mandeville, H. C., Elmira, N. Y.
 Manheim, Jacob, New York, N. Y.
 Manier, Will R., Jr., Nashville, Tenn.
 Manierre, George W., Chicago, Ill.
 Manion, Martin H., New Orleans, La.
 Manly, Clement, Winston-Salem, N. C.
 Manly, George C., Denver, Col.
 Mann, Benson, Philadelphia, Pa.
 Mann, Charles D., Milwaukee, Wis.
 Mann, Edgar P., Kansas City, Mo.
 Mann, Edward A., Albuquerque, N. M.
 Mann, James, Norfolk, Va.
 Mann, Richard H., Petersburg, Va.
 Mann, Richard M., Little Rock, Ark.
 Mann, Samuel H., Forrest City, Ark.
 Manning, A. A., Spartanburg, S. C.
 Manning, James S., Raleigh, N. C.
 Mansfield, Burton, New Haven, Conn.
 Mansfield, Frederick W., Boston, Mass.
 Mansfield, Henry, Peoria, Ill.
 Mansfield, Howard, New York, N. Y.
 Mansfield, Walter D., San Francisco, Cal.
 Manson, N. C., Jr., Lynchburg, Va.
 Marbury, William L., Baltimore, Md.
 Marble, Frederick P., Lowell, Mass.
 March, Moncure, New York, N. Y.
 Marchant, Roland R., Baltimore, Md.
 Marckworth, John H., Cincinnati, Ohio.
 Marcus, Samuel, New York, N. Y.
 Marden, Oscar A., Boston, Mass.
 Marion, J. H., Chester, S. C.
 Markell, Charles, Baltimore, Md.
 Markham, James E., St. Paul, Minn.
 Marks, Richard P., Jacksonville, Fla.
 Marks, William Sherman, Tooele City, Utah.
 Marley, A. S., Kansas City, Mo.
 Marrero, L. H., Jr., New Orleans, La.
 Marsden, Arthur W., Madison, Conn.
 Marsh, Samuel John, Waterbury, Conn.
 Marshall, Burwell Keith, Louisville, Ky.
 Marshall, Carl, Bay St. Louis, Miss.
 Marshall, D. P. B., Sheridan, Wyo.
 Marshall, Edwin J., Toledo, Ohio.
 Marshall, H. Snowdon, New York, N. Y.
 Marshall, James Markham, New York, N. Y.
 Marshall, John, St. Paul, Minn.
 Marshall, John A., Salt Lake City, Utah.
 Marshall, Louis, New York, N. Y.
 Marshall, R. E. Lee, Baltimore, Md.
 Marso, Michael, Chicago, Ill.

- Marston, Thomas B., Chicago, Ill.
 Martin, Amos W., Chicago, Ill.
 Martin, Charles J., New Haven, Conn.
 Martin, Clarence E., Martinsburg, W. Va.
 Martin, Edward M., Omaha, Nebr.
 Martin, F. L., Hutchinson, Kan.
 Martin, Francis, Chattanooga, Tenn.
 Martin, Frank, Boise, Idaho.
 Martin, George B., Catlettburg, Ky.
 Martin, George E., Washington, D. C.
 Martin, George W., Brooklyn, N. Y.
 Martin, Gervaise G., Franklin, Pa.
 Martin, H. S., Manila, P. I.
 Martin, Harold P., Boulder, Colo.
 Martin, Horace H., Chicago, Ill.
 Martin, J. C., Central City, Nebr.
 Martin, J. H. Thayer, Newark, N. J.
 Martin, J. Willis, Philadelphia, Pa.
 Martin, James M., Minneapolis, Minn.
 Martin, John D., Memphis, Tenn.
 Martin, Julius C., Asheville, N. C.
 Martin, M. J., Scranton, Pa.
 Martin, Paris, Boise, Idaho.
 Martin, Patrick H., Green Bay, Wis.
 Martin, Paul C., Springfield, Ohio.
 Martin, Sanford B., New Haven, Conn.
 Martin, T. L., Boise, Idaho.
 Martin, Thomas W., Birmingham, Ala.
 Martin, Ulysses S., Dayton, Ohio.
 Martin, W. H., Hot Springs, Ark.
 Martin, W. L., Montgomery, Ala.
 Martin, Wesley, Webster City, Iowa.
 Martin, William G., Mayville, N. Y.
 Martin, William J., New York, N. Y.
 Martin, William McC., St. Louis, Mo.
 Martin, William Parmenter, New York, N. Y.
 Martindale, Charles, Indianapolis, Ind.
 Martineau, Laureat L., St. John, N. D.
 Martineau, Pierre A., Marinette, Wis.
 Marvel, David T., Wilmington, Del.
 Marvel, Josiah, Wilmington, Del.
 Marvin, Alfred, Matamoras, Pa.
 Marvin, E. P. Waldo, Hartford, Conn.
 Marvin, Francis R., Cleveland, Ohio.
 Marvin, Langdon P., New York, N. Y.
 Marvon, O. N., Albuquerque, N. M.
 Marx, Benjamin L., Honolulu, Hawaii.
 Marx, Frederick Z., Chicago, Ill.
 Marx, Henry, New York, N. Y.
 Marx, Robert S., Cincinnati, Ohio.
 Marye, Robert V., New York, N. Y.
 Mason, Alfred F., St. Paul, Minn.
 Mason, Eugene G., Washington, D. C.
 Mason, Grafton, St. Paul, Minn.
 Mason, Henry F., Topeka, Kan. (Garden City, Kan.)
 Mason, Herbert Delavan, Tulsa, Okla.
 Mason, J. Augustine, Hagerstown, Md.
 Mason, John W., Northampton, Mass.
 Mason, Norman T., Deadwood, S. D.
 Mason, O. F., Gastonia, N. C.
 Mason, Roswell B., Chicago, Ill.
 Mason, Vroman, Madison, Wis.
 Mason, William Clark, Philadelphia, Pa.
 Mason, William L., L'Anse, Mich.
 Massey, Louis C., Orlando, Fla.
 Massie, David M., Chillicothe, Ohio.
 Massey, Eugene C., Richmond, Va.
 Massey, Joseph A., Newport News, Va.
 Masten, Arthur Haynsworth, New York, N. Y.
 Mastick, George H., San Francisco, Cal.
 Mastick, Seabury C., New York, N. Y.
 Matheny, James H., Springfield, Ill.
 Mather, James E., Watertown, S. D.
 Mather, Nation O., Akron, Ohio.
 Mathers, H. T., Sidney, Ohio.
 Matheson, Alexander E., Janesville, Wis.
 Mathews, John R., Townsend, Mont.
 Mathews, Thomas J., Roundup, Montana.
 Mathewson, Albert McClellan, New Haven, Conn.
 Matson, Roderick N., Cheyenne, Wyo.
 Matson, Willis A., Rochester, N. Y.
 Mattern, Conrad J., Dayton, Ohio.
 Matters, Thomas H., Omaha, Neb.
 Matteson, Archibald C., Providence, R. I.
 Matteson, Charles, Providence, R. I.
 Matthews, C. Bentley, Cincinnati, Ohio.
 Matthews, Edwin P., Dayton, Ohio.
 Matthews, Fred V., Portland, Me.
 Matthews, Joseph S., Concord, N. H.
 Matthews, Mortimer, Cincinnati, Ohio.
 Matthews, Samuel D., New York, N. Y.
 Matthews, William Burdette, Charleston, W. Va.
 Matthews, William M., Okmulgee, Okla.
 Matz, Rudolph, Chicago, Ill.
 Maurer, W. F., Cleveland, Ohio.
 Maxey, Thomas S., Austin, Texas.
 Maxwell, Evelyn C., Pensacola, Fla.
 Maxwell, John M., Denver, Col.
 Maxwell, Lawrence, Cincinnati, Ohio.
 Maxwell, W. B., Elkins, W. Va.
 Maxwell, William K., New York, N. Y.
 May, Charles Reeves, Beaver Falls, Pa.
 May, George Williams, Jackson, Miss.
 May, Henry F., Denver, Col.
 May, James D., Detroit, Mich.
 May, Marcus B., Boston, Mass.
 Mayer, Albert E., Atlanta, Ga.
 Mayer, Clinton O., Philadelphia, Pa.
 Mayer, Henry James, New York, N. Y.
 Mayer, Julius M., New York, N. Y.
 Mayer, Levy, Chicago, Ill.
 Mayes, Robert B., Jackson, Miss.

- Maybeld, J. E., Cleveland, Tenn.
 Mayfield, James J., Montgomery, Ala.
 Maynard, James Jr., Knoxville, Tenn.
 Mayne, George H., Council Bluffs, Iowa.
 Mead, Glenn C., Philadelphia, Pa.
 Mead, Lewis Henry, Shell Lake, Wis.
 Meade, U. L., Russellville, Ark.
 Meagher, James F., Chicago, Ill.
 Meagher, Thomas James, Philadelphia, Pa.
 Meaher, Dennis A., Portland, Me.
 Meals, Walter D., Cleveland, Ohio.
 Mears, Otho F., Eastville, Va.
 Measey, William Maul, Philadelphia, Pa.
 McCartney, Harry S., Chicago, Ill.
 Mecham, John Barton, Joliet, Ill.
 Mechem, Floyd R., Chicago, Ill.
 Mechem, George W., Battle Creek, Mich.
 Mechem, Merritt C., Socorro, N. M.
 Meek, Edward R., Dallas, Texas.
 Meeker, Charles W., Imperial, Nebr.
 Meeker, Rollin W., Binghamton, N. Y.
 Mehaffy, T. M., Little Rock, Ark.
 Mehan, William A., Ballston Spa., N. Y.
 Mehard, Samuel S., Pittsburgh, Pa.
 Mehlhope, Clarence E., Chicago, Ill.
 Meighen, John F. D., Albert Lea, Minn.
 Meigs, William M., Philadelphia, Pa.
 Meister, M. G., Oklahoma City, Okla.
 Melcher, Harry A., Philadelphia, Pa.
 Meldon, Patrick M., Rutland, Vt.
 Meldrim, Peter W., Savannah, Ga.
 Mellen, Chase, New York, N. Y.
 Mellors, Joseph, Philadelphia, Pa.
 Melton, Adrian, Chickasha, Okla.
 Melton, W. D., Columbia, S. C.
 Melville, Henry, New York, N. Y.
 Melville, Irving B., Denver, Colo.
 Melvin, Henry A., San Francisco, Cal.
 Mendell, George W., Jr., Austin, Texas.
 Mendenhall, Mark F., Spokane, Wash.
 Mengel, Ralph H., Reading, Pa.
 Mercer, Hugh V., Minneapolis, Minn.
 Merchant, Edward, Philadelphia, Pa.
 Merchant, Henry D., New York, N. Y.
 Mercur, Rodney A., Towanda, Pa.
 Meredith, Charles V., Richmond, Va.
 Meredith, James A., Fairmont, W. Va.
 Mergentheim, Morton A., Chicago, Ill.
 Merrell, Edgar S. K., Lowville, N. Y.
 Merrell, Herman, St. Petersburg, Fla.
 Merrell, William S., Coshocton, Ohio.
 Merrels, F. B., Hartford, Conn.
 Merrick, Charles D., Parkersburg, W. Va.
 Merrick, Duff, Asheville, N. C.
 Merrick, Edwin T., New Orleans, La.
 Merrick, George B., Upper Marlboro, Md.
 Merrick, George Peck, Chicago, Ill.
 Merriken, Charles L., Baltimore, Md.
 Merrill, Alanson J., Bangor, Me.
 Merrill, Jos. Hansell, Thomasville, Ga.
 Merrill, W. B., Oklahoma City, Okla.
 Merrimon, James G., Asheville, N. C.
 Merritt, Albert J., Bridgeport, Conn.
 Merton, Ernst, Waukesha, Wis.
 Mervine, Nicholas P., Altoona, Pa.
 Merwin, Henry W., New Haven, Conn.
 Meserve, Edwin A., Los Angeles, Cal.
 Meserve, W. A., Creighton, Nebr.
 Mesirov, Harry S., Philadelphia, Pa.
 Mestresat, S. Leslie, Uniontown, Pa.
 Metcalf, Charles W., Memphis, Tenn.
 Metcalf, Charles W., Pineville, Ky.
 Metcalf, Orlando P., New York, N. Y.
 Metcalf, William P., Memphis, Tenn.
 Metson, W. H., San Francisco, Cal.
 Metzgerott, Oliver S., Washington, D. C.
 Metzler, Curtis G., Boston, Mass.
 Meyer, Abraham, Chicago, Ill.
 Meyer, Carl, Chicago, Ill.
 Meyer, Edward R., Zanesville, Ohio.
 Meyer, Lee S., Baltimore, Md.
 Meyer, Louis A., Vincennes, Ind.
 Meyer, Samuel T., Lebanon, Pa.
 Meyer, Walter E., New York, N. Y.
 Meyer, William J., Portsmouth, Ohio.
 Meyers, Sidney S., New York, N. Y.
 Michaels, William C., Kansas City, Mo.
 Michel, Ernest A., Marshall, Minn.
 Michell, Arthur A., New York, N. Y.
 Michelman, Joseph, Boston, Mass.
 Michener, Edwin O., Philadelphia, Pa.
 Michener, L. T., Washington, D. C.
 Micou, Benjamin, Washington, D. C.
 Middaugh, Henry G., San Francisco, Cal.
 Middleswurt, O. C., Marietta, Ohio.
 Middleton, Charles G., Louisville, Ky.
 Middleton, E. P., Urbana, Ohio.
 Michling, Edward, New York, N. Y.
 Mikell, William E., Philadelphia, Pa.
 Milbank, Albert G., New York, N. Y.
 Milburn, John G., New York, N. Y.
 Milchrist, William, Sioux City, Iowa.
 Miles, Charles V., Peoria, Ill.
 Miles, Joshua W., Princess Anne, Md.
 Miles, Lovick P., Memphis, Tenn.
 Miles, Vincent M., Little Rock, Ark.
 Miles, Willard W., Barton, Vt.
 Miles, William P., Sidney, Neb.
 Millan, William W., Washington, D. C.
 Miller, A. Jay, Bellefontaine, Ohio.
 Miller, A. L., Macon, Ga.
 Miller, Albert Edward, Marquette, Mich.
 Miller, Arthur, Kansas City, Mo.
 Miller, B. H., St. Anthony, Idaho.
 Miller, Benjamin K., Milwaukee, Wis.
 Miller, Charles A., Bolivar, Tenn.

- Miller, Charles W., Holdenville, Okla.
 Miller, Charles W., Indianapolis, Ind.
 Miller, Clarence B. (Washington, D. C.),
 Duluth, Minn.
 Miller, E. Augustus, Philadelphia, Pa.
 Miller, E. Spencer, Philadelphia, Pa.
 Miller, Edward T., St. Louis, Mo.
 Miller, F. A., Hartsville, S. C.
 Miller, Franklin, St. Louis, Mo.
 Miller, Fred, Spokane, Wash.
 Miller, Frederick C., Mount Clemens,
 Mich.
 Miller, George P., Milwaukee, Wis.
 Miller, Henry G., Chicago, Ill.
 Miller, Hugh Gordon, New York, N. Y.
 Miller, Ira E., New York, N. Y.
 Miller, J. Albert, Philadelphia, Pa.
 Miller, James H., Hinton, W. Va.
 Miller, John A., Kearney, Nebr.
 Miller, John D., New Orleans, La.
 Miller, John D., Susquehanna, Pa.
 Miller, John Faber, Norristown, Pa.
 Miller, John H., San Francisco, Cal.
 Miller, John S., Chicago, Ill.
 Miller, Louis H., Millville, N. J.
 Miller, Nathan L., Syracuse, N. Y.
 Miller, Nelson D., Steubenville, Ohio.
 Miller, Samuel D., Indianapolis, Ind.
 Miller, Seaman, New York, N. Y.
 Miller, Sidney T., Detroit, Mich.
 Miller, T. M., New Orleans, La.
 Miller, W. B., Chattanooga, Tenn.
 Miller, W. McD., Steubenville, Ohio.
 Miller, William Emory, Des Moines, Iowa.
 Miller, William N., Parkersburg, W. Va.
 Miller, William W., New York, N. Y.
 Millikin, E. E., Los Angeles, Cal.
 Milling, R. E., New Orleans, La.
 Mills, Wade, Detroit, Mich.
 Mills, Alfred Elmer, Morristown, N. J.
 Mills, Allen G., Chicago, Ill.
 Mills, M. A., Osceola, Nebr.
 Mills, Walter H., Decatur, Ill.
 Mills, William J., E. Las Vegas, N. M.
 Milner, Purnell M., New Orleans, La.
 Milton, John, Jersey City, N. J.
 Milverton, Frederick W., Honolulu,
 Hawaii.
 Minahan, Eben R., Green Bay, Wis.
 Minahan, Edmund D., Rhinelander, Wis.
 Mingle, Harry Bowers, New York, N. Y.
 Minor, Benjamin S., Washington, D. C.
 Minor, Farrell D., Beaumont, Tex.
 Minor, H. Dent, Memphis, Tenn.
 Minor, Raleigh C., University, Va.
 Minor, Wirt, Portland, Ore.
 Minton, Francis L., New York, N. Y.
 Minton, R. E., Groveton, Texas.
 Mirkil, I. Hazleton, Philadelphia, Pa.
 Mitchell, Alfred H., St. Clairsville, Ohio.
 Mitchell, Charles, New Bedford, Mass.
 Mitchell, E. J., Prescott, Ariz.
 Mitchell, Harold C., New York, N. Y.
 Mitchell, Henry L., Bangor, Me.
 Mitchell, J. L., Norfolk, Va.
 Mitchell, James McCormick, Buffalo, N. Y.
 Mitchell, Joseph V., New York, N. Y.
 Mitchell, Orestes, St. Joseph, Mo.
 Mitchell, Oscar, Duluth, Minn.
 Mitchell, Robert Chamberlain, New York,
 N. Y.
 Mitchell, Samuel A., St. Louis, Mo.
 Mitchell, Thomas L., Salt Lake City, Utah.
 Mitchell, W. E., Council Bluffs, Iowa.
 Mitchell, Walter J., La Plata, Md.
 Mitchell, William D., St. Paul, Minn.
 Mitton, Arthur Graham, Boston, Mass.
 Mix, George E., St. Louis, Mo.
 Mize, Joseph H., Gulfport, Miss.
 Moats, Francis P., Parkersburg, W. Va.
 Mocquot, James Denis, Paducah, Ky.
 Moffat, David W., Murray City, Utah.
 Moffat, R. Burnham, New York, N. Y.
 Moffit, John T., Tipton, Iowa.
 Mohun, Barry, Washington, D. C.
 Moise, Albert L., Philadelphia, Pa.
 Moloney, Robert E., St. Louis, Mo.
 Moloney, Thomas W., Rutland, Vt.
 Monaghan, John, Philadelphia, Pa.
 Moncrief, John W., De Witt, Ark.
 Monks, F. L., Pass Christian, Miss.
 Monnette, Orra E., Los Angeles, Cal.
 Monroe, Charles, Los Angeles, Cal.
 Monroe, Charles E., Milwaukee, Wis.
 Monroe, Frank A., New Orleans, La.
 Monroe, Henry E., San Francisco, Cal.
 Monroe, J. Blanc, New Orleans, La.
 Monroe, Robert Grier, New York, N. Y.
 Montague, David T., Boston, Mass.
 Montague, Gilbert H., New York, N. Y.
 Montague, Henry B., Southbridge, Mass.
 Montague, Richard W., Portland, Ore.
 Montgomery, Carroll S., Omaha, Neb.
 Montgomery, J. A., Fargo, N. D.
 Montgomery, John R., Chicago, Ill.
 Montgomery, Norton, Denver, Colo.
 Montgomery, Oscar H., Seymour, Ind.
 Montgomery, Phelps, New Haven, Conn.
 Montgomery, Richard B., New Orleans, La.
 Montgomery, Robert H., New York, N. Y.
 Montgomery, Robert M., Washington, D. C.
 Montgomery, Theodore L., Kahoka, Mo.
 Montgomery, W. W., Jr., Philadelphia, Pa.
 Montgomery, William Morgan, Philadel-
 phia, Pa.
 Montgomery, William P., Topeka, Kans.
 Moody, Cary C., Indianola, Miss.

- Moody, Elmer I., Pasadena, Cal.
 Moody, Paul B., Detroit, Mich.
 Moon, E. O., Philadelphia, Pa.
 Moonan, John, Waseca, Minn.
 Mooney, Edmund L., New York, N. Y.
 Mooney, Henry, New Orleans, La.
 Mooneyhan, R. A., Carthage, Mo.
 Moore, A. A., San Francisco, Cal.
 Moore, Albert R., St. Paul, Minn.
 Moore, Alfred, Philadelphia, Pa.
 Moore, C. G., Purcell, Okla.
 Moore, Charles L., Oklahoma City, Okla.
 Moore, Charles Sumner, Atlantic City, N. J.
 Moore, Everett F., Moundsville, W. Va.
 Moore, F. A., Salem, Ore.
 Moore, Felix W., Union City, Tenn.
 Moore, Frank, Lexington, Va.
 Moore, Frank H., Kansas City, Mo.
 Moore, Frederick W., Chicago, Ill.
 Moore, George H., St. Louis, Mo.
 Moore, George J., Malone, N. Y.
 Moore, Henry, Texarkana, Ark.
 Moore, Henry, Jr., Texarkana, Ark.
 Moore, Henry L., Salt Lake City, Utah.
 Moore, Hunt C., Kansas City, Mo.
 Moore, I. D., New Orleans, La.
 Moore, J. Merrick, Little Rock, Ark.
 Moore, John Bassett, New York, N. Y.
 Moore, John L., Helena, Ark.
 Moore, John M., Little Rock, Ark.
 Moore, Joseph B., Lansing, Mich.
 Moore, Joseph E., Thomaston, Me.
 Moore, Joseph L., Fort Plain, N. Y.
 Moore, Langdon, Washington, D. C.
 Moore, Larry L., Newburn, N. O.
 Moore, McCabe, Kansas City, Kans.
 Moore, R. Walton, Fairfax, Va.
 Moore, Springer H., Philadelphia, Pa.
 Moore, Stanley, San Francisco, Cal.
 Moore, W. H., El Reno, Okla.
 Moore, William F., Guthrie Center, Iowa.
 Moores, Charles W., Indianapolis, Ind.
 Moores, Merrill, Indianapolis, Ind.
 Moorhead, Forest G., Beaver, Pa.
 Moorhead, Frank L., Boulder, Colo.
 Moorhead, Harley G., Omaha, Neb.
 Moose, William L., Little Rock, Ark.
 Moot, Adelbert, Buffalo, N. Y.
 Morsles, Luis Munoz, San Juan, P. R.
 Moran, D. J., Hammond, Ind.
 Moran, Thomas F., Reno, Nev.
 Morawetz, Victor, New York, N. Y.
 Mordecai, T. Moultrie, Charleston, S. C.
 More, Clair E., Chicago, Ill.
 More, R. Wilson, Chicago, Ill.
 Morehouse, Samuel C., New Haven, Conn.
 Moreno, Arthur A., New Orleans, La.
 Moreton, Arthur E., Salt Lake City, Utah.
 Morey, Joseph H., Buffalo, N. Y.
 Morgan, C. E., 3d, Philadelphia, Pa.
 Morgan, Charles E., Jr., Philadelphia, Pa.
 Morgan, George Wilson, New York, N. Y.
 Morgan, Henry A., Albert Lea, Minn.
 Morgan, Henry W., Lake City, Minn.
 Morgan, Randal, Philadelphia, Pa.
 Morgan, William A., Providence, R. I.
 Morgan, William G., St. Louis, Mo.
 Morgan, William M., Moscow, Idaho.
 Morgan, William Osgood, New York, N. Y.
 Morley, J. E., Cleveland, Ohio.
 Morning, Charles A., Steamboat Springs, Colo.
 Morphy, E. Howard, St. Paul, Minn.
 Morrell, Edward deV., Philadelphia, Pa.
 Morrill, Chester (Knoxville, Tenn.), Washington, D. C.
 Morrill, Donald L., Chicago, Ill.
 Morrill, John A., Auburn, Me.
 Morris, Arthur J., Norfolk, Va.
 Morris, Charles J., Sioux Falls, S. D.
 Morris, Charles M., Milwaukee, Wis.
 Morris, David H., New York, N. Y.
 Morris, Effingham B., Philadelphia, Pa.
 Morris, Ernest, Denver, Colo.
 Morris, Heman W., Rochester, N. Y.
 Morris, Henry C., Chicago, Ill.
 Morris, Henry Lewis, New York, N. Y.
 Morris, John, Fort Wayne, Ind.
 Morris, Ned B., Palestine, Texas.
 Morris, Robert C., New York, N. Y.
 Morris, Roland S., Philadelphia, Pa.
 Morris, Samuel L., Jr., Ft. Wayne, Ind.
 Morris, Sylvanus, Athens, Ga.
 Morris, Tusca, Fairmont, W. Va.
 Morris, W. Norman, Philadelphia, Pa.
 Morris, Wesley S., Colorado Springs, Colo.
 Morris, William A. P., Madison, Wis.
 Morrison, A. F., San Francisco, Cal.
 Morrison, Edmund D., Washington, Iowa.
 Morrison, Edwin R., Kansas City, Mo.
 Morrison, Isidore D., New York, N. Y.
 Morrison, Robert E., Prescott, Ariz.
 Morrison, Thomas F., Chanute, Kans.
 Morrison, William S., Beaver, Pa.
 Morrow, Dwight W., New York, N. Y.
 Morrow, Hugh, Birmingham, Ala.
 Morrow, Thomas R., Kansas City, Mo.
 Morrow, William, Scottsbluff, Nebr.
 Morrow, William W., San Francisco, Cal.
 Morschauer, Joseph, Poughkeepsie, N. Y.
 Morse, Charles F., Chicago, Ill.
 Morse, Joseph H., Robbinsdale, Minn.
 Morse, Robert M., Boston, Mass.
 Morse, Waldo G., New York, N. Y.
 Morse, William A., Boston, Mass.
 Morrell, Arthur L., Milwaukee, Wis.

- Moraman, Edgar M., Jr., Omaha, Neb.
 Morton, Elbert C., Columbus, Ohio.
 Morton, George E., Milwaukee, Wis.
 Morton, James M., Jr., Fall River, Mass.
 Morton, Marcus, Boston, Mass.
 Morton, William O., Los Angeles, Cal.
 Moseley, A. G., St. Louis, Mo.
 Moses, Albert L., Alamosa, Colo.
 Moses, Jacob M., Baltimore, Md.
 Moses, Joseph W., Chicago, Ill.
 Mosesohn, David N., Portland, Ore.
 Mosher, Lewis E., Elmira, N. Y.
 Moser, John H., Muskogee, Okla.
 Moss, Edgar E., Little Rock, Ark.
 Moss, Frank, New York, N. Y.
 Moss, Hunter H., Jr., Parkersburg, W. Va.
 Moss, Leon F., Los Angeles, Cal.
 Moss, William R., Chicago, Ill.
 Mosser, Edwin J., Chicago, Ill.
 Motley, Warren, Boston, Mass.
 Mott, John G., Los Angeles, Cal.
 Mott, Mayhew, Neenah, Wis.
 Mout, Malcolm O., Janesville, Wis.
 Moulton, Frank W., Portsmouth, Ohio.
 Moulton, Hosea B., Washington, D. C.
 Moulton, Sherman R., Burlington, Vt.
 Mouton, Orther C., Lafayette, La.
 Mowatt, Fred. W., Boston, Mass.
 Mower, Edmund C., Burlington, Vt.
 Mower, George Sewall, Newberry, S. C.
 Mowitz, Arno P., Philadelphia, Pa.
 Moyer, J. W., Pottsville, Pa.
 Mudd, John F., Bryantown, Md.
 Mueller, Curt B., Cleveland, Ohio.
 Mueller, Oscar C., Los Angeles, Cal.
 Muench, Hugo, St. Louis, Mo.
 Muench, Julius T., St. Louis, Mo.
 Muhlfeider, David, Albany, N. Y.
 Mulkey, Frederick W., Portland, Ore.
 Mullen, Arthur F., Omaha, Nebr.
 Mullen, J. S., Ardmore, Okla.
 Mullen, James Moritt, Baltimore, Md.
 Mullen, William E., Cheyenne, Wyo.
 Muller, Henry A., Sioux Falls, S. D.
 Muller, W. H., Dillon, S. C.
 Mulligan, William J., Thompsonville, Conn.
 Mullikin, Addison E., Baltimore, Md.
 Mullin, Francis B., Brooklyn, N. Y.
 Mullin, J. E., Kane, Pa.
 Mulvane, David W., Topeka, Kan.
 Mumford, Charles C., Providence, R. I.
 Munday, Charles F., Seattle, Wash.
 Munn, George Ladd, Seattle, Wash.
 Munson, C. LaRue, Williamsport, Pa.
 Munson, J. W., Angleton, Texas.
 Murchie, Alexander, Concord, N. H.
 Murchie, Guy, Boston, Mass.
 Murdock, John S., Providence, R. I.
 Murphy, Charles F., New York, N. Y.
 Murphy, Charles J., Grand Forks, N. D.
 Murphy, Daniel D., Elkader, Iowa.
 Murphy, Francis J., Bismarck, N. D.
 Murphy, Henry, South Omaha, Nebr.
 Murphy, Horner G., Helena, Mont.
 Murphy, James B., Seattle, Wash.
 Murphy, James Dixon, Asheville, N. C.
 Murphy, James R., Boston, Mass.
 Murphy, John J., Williston, N. D.
 Murphy, John L. V., Baltimore, Md.
 Murphy, William E., New York, N. Y.
 Murray, A. Gordon, New York, N. Y.
 Murray, Charles A., Tacoma, Wash.
 Murray, P. H., Trinidad, Colo.
 Murray, Patrick F., Chicago, Ill.
 Murray, Walter F., Cincinnati, Ohio.
 Murrell, William M., Lynchburg, Va.
 Murrin, James B., Carbondale, Pa.
 Murtha, Thomas F., New York, N. Y.
 Mungrave, Harrison, Chicago, Ill.
 Musser, George W., Denver, Colo.
 Musser, Harvey, Akron, Ohio.
 Myers, Nathaniel, New York, N. Y.
 Myers, Oliver P., Newton, Iowa.
 Myers, Quincy A., Indianapolis, Ind.
 Myers, E. Baldwin, Norfolk, Va.
 Myers, T. Percy, Washington, D. C.
 Myers, W. Fenton, Amsterdam, N. Y.
 Myrick, N. Sumner, Boston, Mass.
 Naber, Emil H., Mayville, Wis.
 Nadal, Charles C., New York, N. Y.
 Nagel, Charles (Washington, D. C.), St. Louis, Mo.
 Nagler, Maurice, New York, N. Y.
 Nardin, William T., St. Louis, Mo.
 Nash, Archie L., Manitowoc, Wis.
 Nash, Edwin G., Manitowoc, Wis.
 Nash, Frank, Hillsboro, N. C.
 Nash, Lyman J., Manitowoc, Wis.
 Nathan, Edgar J., New York, N. Y.
 Nathan, Harold, New York, N. Y.
 Nauman, John A., Lancaster, Pa.
 Naumburg, Bernard, New York, N. Y.
 Naumer, John, Brooklyn, N. Y.
 Nay, Frank N., Boston, Mass.
 Naylon, Daniel N., Jr., Schenectady, N. Y.
 Nead, B. Frank, Harrisburg, Pa.
 Nead, Benjamin M., Harrisburg, Pa.
 Neal, Benjamin F., Boise, Idaho.
 Neal, George I., Huntington, W. Va.
 Neal, John F., Boston, Mass.
 Nebeker, Franklin K., Salt Lake City, Utah.
 Needham, Charles W., Washington, D. C.
 Neelen, Neelo B., Milwaukee, Wis.
 Neff, George E., York, Pa.

- Negroni, J. Salvador Amilli, Maricao, P. R.
 Neiger, J. J., Virginia, Ill.
 Neill, M. M., Trenton, Tenn.
 Neill, Ernest, Batesville, Ark.
 Neilson, William D., Philadelphia, Pa.
 Nellis, Andrew J., Albany, N. Y.
 Nellis, Merwyn H., Albany, N. Y.
 Nelson, Roscoe C., Portland, Ore.
 Nelson, William S., Columbia, S. C.
 Nemmers, E. P., Milwaukee, Wis.
 Neterer, Jeremiah, Seattle, Wash.
 Nethaway, John C., St. Paul, Minn.
 Neuberger, David M., New York, N. Y.
 Neville, Arthur Courtney, Green Bay, Wis.
 Neville, James T., Springfield, Mo.
 Nevin, Andrew Parker, New York, N. Y.
 Nevin, D. W., Easton, Pa.
 Nevin, Robert R., Dayton, Ohio.
 New, Alexander, Kansas City, Mo.
 Newbegin, Henry, Defiance, Ohio.
 Newberger, Louis, Indianapolis, Ind.
 Newcomb, E. C., Scranton, Pa.
 Newcomb, George Eddy, Chicago, Ill.
 Newcomb, H. T., Washington, D. C.
 Newcomb, R. B., Cleveland, Ohio.
 Newell, James M., Boston, Mass.
 Newell, William H., Lewiston, Me.
 Newlin, Gurney E., Los Angeles, Cal.
 Newlin, William E., Pittsburgh, Pa.
 Newman, Claire B., Jackson, Tenn.
 Newman, Emanuel, Brooklyn, N. Y.
 Newman, F. M., Brady, Texas.
 Newman, Jacob, Chicago, Ill.
 Newman, William T., Atlanta, Ga.
 Newton, Charles E. M., Chicago, Ill.
 Newton, Walter H., Minneapolis, Minn.
 Niblack, William C., Chicago, Ill.
 Nibley, Joel, Salt Lake City, Utah.
 Nichols, Edward, Leesburg, Va.
 Nichols, George L., New York, N. Y.
 Nichols, George W., Spartanburg, S. C.
 Nichols, H. S. Prentiss, Philadelphia, Pa.
 Nichols, Hugh L., Batavia, Ohio.
 Nichols, John, Cincinnati, Ohio.
 Nichols, S. L., Mandan, N. D.
 Nichols, Warren, Chicago, Ill.
 Nicholson, B. E., Edgefield, S. C.
 Nicoll, De Lancey, New York, N. Y.
 Nicolson, John, New York, N. Y.
 Nields, Benjamin, Wilmington, Del.
 Nields, John P., Wilmington, Del.
 Niemann, James P., Mineola, N. Y.
 Nieser, Charles M., Fort Wayne, Ind.
 Niles, Alfred S., Baltimore, Md.
 Niles, Clarence P., Pittsfield, Mass.
 Niles, H. C., Kosciusko, Miss.
 Niles, Henry C., York, Pa.
 Nims, Harry D., New York, N. Y.
 Nitzell, Henry M., Baltimore, Md.
 Noble, Daniel, Jamaica, N. Y.
 Noble, Edward T., Pittsburgh, Pa.
 Noble, Fred B., Jacksonville, Fla.
 Noble, Herbert, New York, N. Y.
 Noble, V. B., Battineau, N. D.
 Noble, William M., Boston, Mass.
 Noel, Edmund F., Lexington, Miss.
 Noel, James W., Indianapolis, Ind.
 Noffsinger, W. N., Kalispell, Mont.
 Noffsinger, W. W., Muskogee, Okla.
 Nottzger, Thomas A., Wichita, Kan.
 Nolan, C. B., Helena, Mont.
 Nolan, John R., New York, N. Y.
 Nolan, Thomas J., Omaha, Nebr.
 Nolan, Thomas S., Janesville, Wis.
 Norblad, A. W., Astoria, Ore.
 Norcross, Frank H., Carson City, Nev.
 Norman, J. V., Louisville, Ky.
 Norman, Lionel, Boston, Mass.
 Norris, G. Helde, Philadelphia, Pa.
 Norris, Herbert M., Ironwood, Mich.
 Norris, James L., Washington, D. C.
 Norris, Mark, Grand Rapids, Mich.
 Norris, Myron A., Youngstown, Ohio.
 Norris, William H., Manchester, Iowa.
 North, H. M., Jr., Columbia, Pa.
 North, Jerome Reynolds, Green Bay, Wis.
 Northcott, William A., Springfield, Ill.
 Northcutt, Jesse G., Trinidad, Col.
 Northrop, Claudian B. (Washington, D. C.), Charleston, S. C.
 Norton, Algernon S., New York, N. Y.
 Norton, E. M., Healdsburg, Cal.
 Norton, George P., Kansas City, Mo.
 Norton, J. K. M., Alexandria, Va.
 Norton, Porter, Buffalo, N. Y.
 Norton, Ralph, New York, N. Y.
 Norton, T. J., Chicago, Ill.
 Norton, Albert D., St. Louis, Mo.
 Norwood, C. Augustus, Boston, Mass.
 Norwood, Carlisle, New York, N. Y.
 Nottingham, Edwin, Syracuse, N. Y.
 Nottingham, William, Syracuse, N. Y.
 Nourse, Clinton L., Des Moines, Iowa.
 Nowlin, Claude, Oklahoma City, Okla.
 Noxon, John F., Pittsfield, Mass.
 Noyes, George F., Portland, Me.
 Noyes, George H., Milwaukee, Wis.
 Nuckolls, Elbert L., Fayetteville, W. Va.
 Nunn, D. A., Crockett, Texas.
 Nutter, George R., Boston, Mass.
 Nuzum, Richard W., Spokane, Wash.
 Nye, Carroll A., Moorhead, Minn.
 Oakes, Charles, New York, N. Y.
 Obear, Hugh H., Washington, D. C.
 Oberachelp, Henry H., St. Louis, Mo.
 O'Brien, Dennis F., New York, N. Y.

- O'Brien, Edward B., Lynn, Mass.
 O'Brien, James Edward, Minneapolis, Minn.
 O'Brien, John Edward, New York, N. Y.
 O'Brien, John H., Clinton, Mass.
 O'Brien, John J. P., Wheeling, W. Va.
 O'Brien, John Patrick, New York, N. Y.
 O'Brien, M. Hubert, Detroit, Mich.
 O'Brien, Martin, Crookston, Minn.
 O'Brien, Morgan J., New York, N. Y.
 O'Brien, Patrick H., Houghton, Mich.
 O'Brien, Patrick T., Meriden, Conn.
 O'Brien, Thomas D., Holyoke, Mass.
 O'Brien, Thomas Edward, New York, N. Y.
 O'Brien, Thomas J., Grand Rapids, Mich.
 O'Brien, William J., Jr., Baltimore, Md.
 O'Brien, William S., Buckhannon, W. Va.
 O'Byrne, M. A., Savannah, Ga.
 O'Connell, Daniel T., Boston, Mass.
 O'Connell, John J., New York, N. Y.
 O'Connell, Joseph F., Boston, Mass.
 O'Connor, Charles J., Chicago, Ill.
 O'Connor, Charles Leo, Buffalo, N. Y.
 O'Connor, Francis J., Johnstown, Pa.
 O'Connor, George E., Eagle River, Wis.
 O'Connor, James Keegan, Utica, N. Y.
 O'Connor, John, Chicago, Ill.
 O'Connor, Myles Powers, Nashville, Tenn.
 O'Connor, Thomas J., Holyoke, Mass.
 Octigan, Thomas P., Chicago, Ill.
 Odlin, Arthur F., Arcadia, Fla.
 Odom, Patrick H., Jacksonville, Fla.
 O'Donnell, James E., Lowell, Mass.
 O'Donnell, James L., Joliet, Ill.
 O'Donnell, Joseph A., Chicago, Ill.
 O'Donnell, Lawrence, New Orleans, La.
 O'Donnell, M. A., Kansas City, Mo.
 O'Donnell, Martin J., Kansas City, Mo.
 O'Donnell, Thomas J., Denver, Col.
 O'Donnell, Thomas W., Vernal, Utah.
 O'Dunne, Eugene, Baltimore, Md.
 O'Dwyer, Edward F., New York, N. Y.
 Oeland, Isaac R., New York, N. Y.
 Ofield, Charles K., Chicago, Ill.
 Offutt, Thiemann Scott, Towson, Md.
 Ofner, Jacob B., Portland, Ore.
 Ogden, Hugh W., Boston, Mass.
 Oglesby, Ira D., Ft. Smith, Ark.
 O'Gorman, James A., New York, N. Y.
 O'Grady, James M. E., Rochester, N. Y.
 Ogren, John W., Grand Forks, N. D.
 O'Hara, Joseph W., Cincinnati, Ohio.
 O'Hara, Thomas J., Chicago, Ill.
 O'Hara, Apollos W., Carthage, Ill.
 Ohl, Guy T., Youngstown, Ohio.
 O'Keefe, P. J., Chicago, Ill.
 Olcott, J. Van Vechten, New York, N. Y.
 Old, William W., Jr., Norfolk, Va.
 Oldham, L. E., Oxford, Miss.
 Oldham, Robert P., Seattle, Wash.
 Olds, Robert Edwin, St. Paul, Minn.
 Olin, John M., Madison, Wis.
 Oliver, E. S., Florence, S. C.
 Oliver, Frank M., Savannah, Ga.
 Oliver, Paul Q., Westfield, N. J.
 Oliver, Robert Burret, Cape Girardeau, Mo.
 Olivier, Pierre D., New Orleans, La.
 Olliphant, Horace K., Bartow, Fla.
 Olmstead, James M., Boston, Mass.
 Olney, Peter B., New York, N. Y.
 Olney, Richard, Boston, Mass.
 Olney, Warren, Jr., San Francisco, Cal.
 O'Loughlin, Patrick, Boston, Mass.
 Olson, Clarence H., Honolulu, Hawaii.
 Olson, Culbert L., Salt Lake City, Utah.
 Olson, Harry, Chicago, Ill.
 Olson, Julius J., Warren, Minn.
 O'Meara, C. S., Chicago, Ill.
 O'Meara, J. P., Tulsa, Okla.
 Ommen, Alfred E., New York, N. Y.
 O'Neal, Emmett, Montgomery, Ala.
 O'Neill, Harry E., Tuckerville, Neb.
 O'Neill, John J., Waterbury, Conn.
 Ong, Eugene W., Boston, Mass.
 Ong, Walter C., Cleveland, Ohio.
 O'Niell, Charles A., New Orleans, La.
 Opdyke, Alfred, New York, N. Y.
 Opdyke, William S., New York, N. Y.
 Oppenheim, Benjamin W., Boise, Idaho.
 Oppenheim, Myron Henry, New York, N. Y.
 Oppenheimer, Herman H., New York, N. Y.
 Oppenheimer, William H., St. Paul, Minn.
 Ordway, Gilbert F., Boston, Mass.
 O'Reilly, John J., Brockton, Mass.
 Orgain, W. E., Beaumont, Texas.
 Orlady, Frederick L., Huntingdon, Pa.
 Orlady, George B., Huntingdon, Pa.
 Ormond, John M., Toledo, Ohio.
 Orr, Charles P., Pittsburgh, Pa.
 Orr, Isaac H., St. Louis, Mo.
 Orr, James W., Atchison, Kan.
 Orr, John S., Reno, Nev.
 Orr, Louis T., Chicago, Ill.
 Orr, W. J., Springfield, Mo.
 Orrick, Allen C., St. Louis, Mo.
 Orton, L. V., Pawnee, Okla.
 Orton, Philo A., Darlington, Wis.
 Orvis, Ellis L., Bellefonte, Pa.
 Osborn, O. O., Stockton, Kans.
 Osborn, William Church, New York, N. Y.
 Osborne, A. L., Bristol, Tenn.
 Osborne, Harry V., Newark, N. J.
 Osborne, James W., Ely, Minn.
 Osborne, Thomas Samuel, Fort Smith, Ark.
 Osburn, Frank C., Pittsburgh, Pa.

- Oesenton, O. W., Fayetteville, W. Va.
 Osgood, William N., Boston, Mass.
 O'Shaunessy, George F., Providence, R. I.
 O'Shea, Ambrose L., New York, N. Y.
 Osmond, William, Great Bend, Kan.
 Ostrander Russell C., Lansing, Mich.
 Ostrander, William S., Saratoga Springs, N. Y.
 O'Sullivan, William J., New York, N. Y.
 Ottofy, L. Frank, St. Louis, Mo.
 Otta, James C., Spartanburg, S. C.
 Ousta, D. A. G., Greenwood, S. C.
 Overall, John H., St. Louis, Mo.
 Overfield, Peter D., Los Angeles, Cal.
 Overlander, Rufus M., New York, N. Y.
 Overton, Winston, Lake Charles, La.
 Owen, F. C., Columbus, Miss.
 Owen, Frederick B., Oklahoma City, Okla.
 Owen, Stanton, Laconia, N. H.
 Owens, Fred R., Denton, Md.
 Owens, George W., Savannah, Ga.
 Owens, William A., Ladollette, Tenn.
 Oxtoby, James V., Detroit, Mich.
 Oxtoby, Walter E., Detroit, Mich.
 Oyler, F. J., Iola, Kan.
 Oziar, George W., Dayton, Ohio.
 Pace, Frank, Little Rock, Ark.
 Pace, Troy, Little Rock, Ark.
 Packard, George, Chicago, Ill.
 Packard, Joseph, Baltimore, Md.
 Packard, Sperry S., Pueblo, Colo.
 Paddock, Frederick G., Malone, N. Y.
 Paden, Joseph E., Chicago, Ill.
 Padgett, Beale Edward, Everett, Wash.
 Padgett, W. W., Ft. Scott, Kans.
 Page, Alfred R., New York, N. Y.
 Page, Cecil, Chicago, Ill.
 Page, E. J., Syracuse, N. Y.
 Page, Ernest O., Omaha, Neb.
 Page, George T., Peoria, Ill.
 Page, Howard Wurts, Philadelphia, Pa.
 Page, Rosewell, Richmond, Va.
 Page, S. Davis, Philadelphia, Pa.
 Page, Thomas Nelson (Rome, Italy), Washington, D. C.
 Page, William H., New York, N. Y.
 Pagel, Benjamin S., Detroit, Mich.
 Paige, James, Minneapolis, Minn.
 Paine, Bayard H., Grand Island, Nebr.
 Paine, Karl, Boise, Idaho.
 Paine, Willis S., New York, N. Y.
 Painter, E. Lynne, Baltimore, Md.
 Palda, L. J., Jr., Minot, N. D.
 Pallman, A. Oswald, New Haven, Conn.
 Palmer, Bradley W., Boston, Mass.
 Palmer, Edwin A., Williston, N. D.
 Palmer, H. C., Clay Center, Nebr.
 Palmer, John C., Jr., Wheeling, W. Va.
 Palmer, John I., Saguache, Colo.
 Palmer, Jonathan, Jr., Detroit, Mich.
 Palmer, Truman F., Monticello, Ind.
 Palmer, Walter Curtis, Racine, Wis.
 Pam, Hugo, Chicago, Ill.
 Pam, Max, Chicago, Ill.
 Pardee, Don A., Atlanta, Ga.
 Parish, Edward C., New York, N. Y.
 Parish, John K., New Orleans, La.
 Parish, John W., Omaha, Nebr.
 Park, Byron B., Stevens Point, Wis.
 Park, Edwin H., Denver, Colo.
 Park, Herbert T., Minneapolis, Minn.
 Park, Orville A., Macon, Ga.
 Parker, Addison M., Des Moines, Iowa.
 Parker, Alton B., New York, N. Y.
 Parker, Andrew D., New York, N. Y.
 Parker, Barton L., Green Bay, Wis.
 Parker, Charles H., Enid, Okla.
 Parker, Charles W., Jersey City, N. J.
 Parker, Chauncey G., Newark, N. J.
 Parker, Cortlandt, Jr., Newark, N. J.
 Parker, Emmett N., Olympia, Wash.
 Parker, Francis H., Hartford, Conn.
 Parker, Francis W., Chicago, Ill.
 Parker, Frank W., Santa Fe, N. M.
 Parker, Haywood, Asheville, N. C.
 Parker, Herbert, Boston, Mass.
 Parker, Junius, New York, N. Y.
 Parker, Lewis W., Chicago, Ill.
 Parker, Philip S., Boston, Mass.
 Parker, Ralzemond A., Detroit, Mich.
 Parker, Richard Wayne, Newark, N. J.
 Parker, Robert Chapin, Westfield, Mass.
 Parker, Samuel, South Bend, Ind.
 Parker, W. W., Baltimore, Md.
 Parker, William C., New Bedford, Mass.
 Parker, Winthrop, New York, N. Y.
 Parker, Woodruff J., Chicago, Ill.
 Parkhurst, Frederic H., Bangor, Me.
 Parkinson, Robert H., Chicago, Ill.
 Parkinson, Thomas I. (Philadelphia, Pa.), New York, N. Y.
 Parks, G. Elton, New York, N. Y.
 Parks, Peyton A., Clinton, Mo.
 Parlman, Ralph W., Sioux Falls, S. D.
 Parmelee, Henry F., New York, N. Y.
 Parmly, Randolph, New York, N. Y.
 Parran, J. Frank, Prince Frederick, Md.
 Parrish, James L., Des Moines, Iowa.
 Parrish, Robert L., Covington, Va.
 Parry, George Gowan, Philadelphia, Pa.
 Parsons, C. C., Jr., Salt Lake City, Utah.
 Parsons, Charles C., Salt Lake City, Utah.
 Parsons, Charles F., Hilo, Hawaii.
 Parsons, Edward A., New Orleans, La.
 Parsons, Frank N., Franklin, N. H.

- Parsons, Harry H., Missoula, Mont.
 Partlow, Ira J., Keystone, W. Va.
 Partridge, John S., San Francisco, Cal.
 Paskus, Benjamin G., New York, N. Y.
 Patterson, A. W., Richmond, Va.
 Patterson, Benjamin, New York, N. Y.
 Patterson, Charles E., Seattle, Wash.
 Patterson, E. O., Dallas, S. D.
 Patterson, Elmer C., Minneapolis, Minn.
 Patterson, Frank Minor, New York, N. Y.
 Patterson, Frederick H., New York, N. Y.
 Patterson, George G., Hollidaysburg, Pa.
 Patterson, George S., Philadelphia, Pa.
 Patterson, John B., Okemah, Okla.
 Patterson, John H., Pontiac, Mich.
 Patterson, John M., Philadelphia, Pa.
 Patterson, Lindsay, Winston-Salem, N. C.
 Patterson, Marion D., Hollidaysburg, Pa.
 Patterson, Newton Reid, Pineville, Ky.
 Patterson, Roswell H., Scranton, Pa.
 Patterson, T. Elliott, Philadelphia, Pa.
 Patterson, Thomas, Pittsburg, Pa.
 Patterson, W. E., El Dorado, Ark.
 Patteson, S. S. P., Richmond, Va.
 Pattison, Allen S., Washington, D. C.
 Pattison, Charles W., Cleveland, Ohio.
 Pattison, Everett W., St. Louis, Mo.
 Pattison, John R., Cambridge, Md.
 Patton, Charles L., San Francisco, Cal.
 Patton, J. Lee, Philadelphia, Pa.
 Patton, James C., Dallas, Texas.
 Patton, William Wayne, Livingston, Ala.
 Paul, A. C., Minneapolis, Minn.
 Paul, J. Rodman, Philadelphia, Pa.
 Paulding, Charles C., New York, N. Y.
 Paxton, John G., Independence, Mo.
 Payer, H. F., Cleveland, Ohio.
 Payne, James M., Charleston, W. Va.
 Payne, Jason E., Vermillion, S. D.
 Payne, John Barton, Chicago, Ill.
 Payne, William D., Charleston, W. Va.
 Payson, Franklin C., Portland, Me.
 Payton, Claude, Sylvester, Ga.
 Peabody, Augustus S., Chicago, Ill.
 Peabody, Clarence W., Portland, Me.
 Peabody, Francis, Boston, Mass.
 Peace, William H., Philadelphia, Pa.
 Peaks, George H., Chicago, Ill.
 Pearce, James A., Chestertown, Md.
 Pearce, Stanley D., New York, N. Y.
 Peareson, D. R., Richmond, Texas.
 Pearne, W. U., Middletown, Conn.
 Pearre, Aubrey, Jr., Baltimore, Md.
 Pearre, George A., Cumberland, Md.
 Pearson, Gardiner W., Lowell, Mass.
 Pearsons, Harry P., Chicago, Ill.
 Peart, Hartley F., San Francisco, Cal.
 Pease, Frank Alvin, Fall River, Mass.
 Peaslee, Robert J., Manchester, N. H.
 Peck, Epaphroditus, Bristol, Conn.
 Peck, George L., New Haven, Conn.
 Peck, George R., Chicago, Ill.
 Peck, Hamilton S., Burlington, Vt.
 Peck, Herbert M., Oklahoma City, Okla.
 Peck, Ralph L., Chicago, Ill.
 Peden, Thomas J., Chicago, Ill.
 Pedler, J. S., Loup City, Nebr.
 Pedrick, Samuel M., Ripon, Wis.
 Peck, Burton F., Moline, Ill.
 Peeler, J. L., Austin, Texas.
 Peele, Stanton C., Washington, D. C.
 Peebles, Henry C., Atlanta, Ga.
 Pegram, George, Faunsdale, Ala.
 Pegram, Henry, New York, N. Y.
 Peirce, George, Philadelphia, Pa.
 Peirce, George H., Newark, N. J.
 Pelham, John, Montgomery, Ala.
 Pelletier, Joseph C., Boston, Mass.
 Pelot, Charles E., Jacksonville, Fla.
 Pelton, Charles A., Clinton, Conn.
 Pemberton, L. M., Beatrice, Nebr.
 Pemberton, William Y., Helena, Mont.
 Pendarvis, Robert E., Chicago, Ill.
 Pendleton, Francis Key, New York, N. Y.
 Penfield, Walter S., Washington, D. C.
 Pennington, Robert, Wilmington, Del.
 Penn, G. E., Jr., Abingdon, Va.
 Pennebaker, Elliott E., Louisville, Ky.
 Pennewill, Walton, Philadelphia, Pa.
 Penney, R. L., Minneapolis, Minn.
 Pennington, William, Newark, N. J.
 Pennypacker, Bevan Aubrey, Philadelphia, Pa.
 Pennypacker, Samuel W., Philadelphia, Pa.
 Pentz, W. C., DuBois, Pa.
 Penwell, Fred. B., Danville, Ill.
 Pepper, A. M., Lexington, Miss.
 Pepper, B. Franklin, Philadelphia, Pa.
 Pepper, George Wharton, Philadelphia, Pa.
 Percy, LeRoy, Greenville, Miss.
 Percy, Walker, Birmingham, Ala.
 Pereles, Nathan, Jr., Milwaukee, Wis.
 Pergler, Charles, Cresco, Iowa.
 Perkins, David Walter, Manchester, N. H.
 Perkins, F. W., Flagstaff, Ariz.
 Perkins, Randolph, Jersey City, N. J.
 Perkins, Robert J., New Orleans, La.
 Perkins, Thomas N., Boston, Mass.
 Perkins, William H., Jr., Baltimore, Md.
 Perky, Kirtland L., Boise, Ida.
 Perrin, Solon L., Superior, Wis.
 Perry, Ernest Bert, Cambridge, Neb.
 Perry, Frank S., Washington, D. C.
 Perry, Fred L., New Haven, Conn.
 Perry, R. Ross, Jr., Washington, D. C.

- Pershing, James H., Denver, Colo.
 Persons, James W., Buffalo, N. Y.
 Peter, Arthur, Rockville, Md. (Washington, D. C.)
 Peter, James B., Saginaw, Mich.
 Peters, Arthur John, New Orleans, La.
 Peters, Edward F., Cincinnati, Ohio.
 Peters, James W. S., Kansas City, Mo.
 Peters, John A., Ellsworth, Me.
 Peters, W. A., Seattle, Wash.
 Peterson, Fred H., Seattle, Wash.
 Peterson, J. W., St. Joseph, Mo.
 Peterson, James A., Chicago, Ill.
 Pettit, Adolor J., Chicago, Ill.
 Pette, Alfred C., New York, N. Y.
 Pettingill, N. B. K., Tampa, Fla.
 Pettit, C. E., Stuttgart, Ark.
 Pettit, W. C., Greenville, Pa.
 Pettus, Edmund W., Selma, Ala.
 Petty, Robert D., New York, N. Y.
 Petty, Turner, Huntsville, Ala.
 Pevey, Gilbert A. A., Boston, Mass.
 Peyser, Julius I., Washington, D. C.
 Pfau, Abraham J., Chicago, Ill.
 Phelan, Edward D., Helena, Mont.
 Phelan, John J., Bridgeport, Conn.
 Phelan, Patrick Henry, Jr., Memphis, Tenn.
 Phelps, Charles, Rockville, Conn.
 Phelps, Esmond, New Orleans, La.
 Phelps, William W., Los Angeles, Cal.
 Philbrook, Warren C., Waterville, Me.
 Philipp, Moritz Bernard, New York, N. Y.
 Phillips, John F., Kansas City, Mo.
 Phillips, Arthur S., Fall River, Mass.
 Phillips, Benjamin, Boston, Mass.
 Phillips, David, Philadelphia, Pa.
 Phillips, John P., Chillicothe, Ohio.
 Phillips, M. C., Chicago, Ill.
 Phillips, Nelson, Austin, Tex.
 Phipps, George V., Boston, Mass.
 Piatt, William H. H., Kansas City, Mo.
 Pickens, Samuel O., Indianapolis, Ind.
 Pickens, William A., Indianapolis, Ind.
 Pickering, Henry Goddard, Boston, Mass.
 Pickett, C. E., Waterloo, Iowa.
 Pickle, George W., Knoxville, Tenn.
 Pickman, Dudley L., Jr., Boston, Mass.
 Pickman, John J., Lowell, Mass.
 Pickrell, John, Richmond, Va.
 Pierce, Charles L., Rochester, N. Y.
 Pierce, Kirk D., Hillsboro, N. H.
 Pierce, Leonard A., Houlton, Me.
 Pierce, Thomas M., St. Louis, Mo.
 Pierce, Wilson H., Waterbury, Conn.
 Pierce, Winlaw S., New York, N. Y.
 Pierson, George W., Billings, Mont.
 Pigott, William T., Helena, Mont.
 Pike, Vinton, St. Joseph, Mo.
 Pilcher, James Stuart, Nashville, Tenn.
 Piles, Samuel H., Seattle, Wash.
 Pinckney, Merritt W., Chicago, Ill.
 Pinderski, Louis, Chicago, Ill.
 Pingrey, Darius H., Highland Park, Ill.
 Pinkerton, Alfred S., Worcester, Mass.
 Piper, James, Baltimore, Md.
 Pirce, James Aldrich, Providence, R. I.
 Pirkey, Earl M., St. Louis, Mo.
 Pirscher, William F., Baltimore, Md.
 Pirtle, James S., Louisville, Ky.
 Pitcher, Fred B., Watertown, N. Y.
 Pitkin, Charles A., Thief River Falls, Minn.
 Pitney, John O. H., Newark, N. J.
 Pitney, Mahlon, Washington, D. C.
 Pittman, Frank K., Tonopah, Nev.
 Pitts, John A., Nashville, Tenn.
 Place, Ira A., New York, N. Y.
 Plain, Frank G., Aurora, Ill.
 Platt, Frank H., New York, N. Y.
 Platt, Robert Treat, Portland, Ore.
 Platt, Samuel, Carson City, Nev.
 Platzek, M. Warley, New York, N. Y.
 Plauche, Thomas C., Lake Charles, La.
 Playford, R. W., Uniontown, Pa.
 Pleasants, Richard H., Baltimore, Md.
 Pless, J. W., Marion, N. C.
 Plumley, Frank, Washington, D. C.
 Plummer, William A., Laconia, N. H.
 Plunkett, Moss A., Roanoke, Va.
 Plymat, Walter A., Mankato, Minn.
 Poe, Edgar Allan, Baltimore, Md.
 Poediger, George A., Pittsfield, Mass.
 Poffenberger, George, Charleston, W. Va.
 Pogue, Province M., Cincinnati, Ohio.
 Pohl, Emil, San Francisco, Cal.
 Poindexter, Miles, Spokane, Wash.
 Polk, A. D., Brainerd, Minn.
 Polk, Albert F., Georgetown, Del.
 Polk, C. S., Lincoln, Nebr.
 Polk, Charles M., St. Louis, Mo.
 Polk, L. J., Jr., Brownsville, Texas.
 Pollack, Sidney S., Chicago, Ill.
 Pollak, Francis D., New York, N. Y.
 Pollard, Claude, Kingsville, Tex.
 Pollard, Henry R., Richmond, Va.
 Polley, Samuel C., Pierre, S. D.
 Pollock, John O., Kansas City, Kan.
 Pollock, Robert M., Fargo, N. D.
 Pomerene, Atlee, Canton, Ohio.
 Pomeroy, Carter P., San Francisco, Cal.
 Pomeroy, Charles W., Kalispell, Mont.
 Pomeroy, Robert W., Buffalo, N. Y.
 Pond, George K., Greenfield, Mass.
 Pond, Philip, New Haven, Conn.

- Poor, John R., Brookline, Mass.
 Pope, Gustavus G., Texarkana, Ark.
 Pope, John D., Albany, Ga.
 Pope, William H., Santa Fe, N. M.
 Poppenhussen, Conrad H., Chicago, Ill.
 Porter, Claude R., Centerville, Iowa.
 Porter, Frank M., Los Angeles, Cal.
 Porter, J. H., Atlanta, Ga.
 Porter, Louis H., New York, N. Y.
 Porter, Miles, Mankato, Minn.
 Porter, -Silas, Topeka, Kan.
 Porter, William D., Pittsburgh, Pa.
 Porter, William Gove, Aberdeen, S. D.
 Posner, Louis S., New York, N. Y.
 Poss, Benjamin, Milwaukee, Wis.
 Post, Frank T., Spokane, Wash.
 Post, Nathan N., St. Albans, Vt.
 Post, Philip S., Chicago, Ill.
 Postlewaite, David N., Columbus, Ohio.
 Potter, Barrett, Brunswick, Me.
 Potter, Charles N., Cheyenne, Wyo.
 Potter, Dexter B., Providence, R. I.
 Potter, E. O., Eugene, Ore.
 Potter, Emery D., Toledo, Ohio.
 Potter, Frederick, New York, N. Y.
 Potter, William P., Pittsburgh, Pa.
 Pottle, J. R., Albany, Ga.
 Potts, C. H., Coeur d'Alene, Idaho.
 Potts, C. S., Austin, Texas.
 Potts, Joseph, New York, N. Y.
 Pou, James H., Raleigh, N. C.
 Poujade, Joseph, Carson City, Nev.
 Pound, Roscoe, Cambridge, Mass.
 Powell, Charles L., Chicago, Ill.
 Powell, Elmer N., Kansas City, Mo.
 Powell, George M., Jacksonville, Fla.
 Powell, Howell A., San Francisco, Cal.
 Powell, Humbert B., Philadelphia, Pa.
 Powell, J. Norment, Johnson City, Tenn.
 Powell, L. K., Mt. Gilead, Ohio.
 Powell, Max L., Burlington, Vt.
 Powell, Omar, New York, N. Y.
 Powell, Ransom J., Minneapolis, Minn.
 Powell, Stewart K., Onancock, Va.
 Powell, Walter A., Kansas City, Mo.
 Power, John, Escanaba, Mich.
 Power, Victor L., Hibbing, Minn.
 Powers, George M., Morrisville, Vt.
 Powers, R. C., Little Rock, Ark.
 Powers, Samuel L., Boston, Mass.
 Prather, William W., Cincinnati, Ohio.
 Pratt, Addison S., New York, N. Y.
 Pratt, Arthur E., Ogden, Utah.
 Pratt, Charles A. B., New York, N. Y.
 Pratt, George C., New York, N. Y.
 Pratt, James R., Baltimore, Md.
 Preble, William Pitt, New York, N. Y.
 Prendergast, A. C., Austin, Texas.
 Prendergast, Edmund A., Minneapolis, Minn.
 Prentice, E. Parmalee, New York, N. Y.
 Prentice, S. O., Hartford, Conn.
 Prentice, William P., New York, N. Y.
 Prentiss, Robert R., Suffolk, Va.
 Prentiss, Spencer B., Washington, D. C.
 Preston, A. L., Avoca, Iowa.
 Preston, Byron W., Des Moines, Iowa.
 Preston, Edmund R., Charlotte, N. C.
 Preston, Harold, Seattle, Wash.
 Preston, J. W., Pueblo, Col.
 Prevost, George A., Washington, D. C.
 Prewitt, Henry R., Mt. Sterling, Ky.
 Price, Frank F., Grand Rapids, Minn.
 Price, George E., Charleston, W. Va.
 Price, Robert M., Reno, Nev.
 Price, Samuel B., Scranton, Pa.
 Price, William C., Wilkes-Barre, Pa.
 Price, William H., Marianna, Fla.
 Price, William H., Jr., Baltimore, Md.
 Prichard, Frank P., Philadelphia, Pa.
 Prickett, William S., Wilmington, Del.
 Priest, Henry S., St. Louis, Mo.
 Prime, Ralph E., Yonkers, N. Y.
 Prince, Leon C., Carlisle, Pa.
 Prince, Sydney Rhodes, Mobile, Ala.
 Prinderville, Thomas W., Chicago, Ill.
 Prindiville, John K., Chicago, Ill.
 Prindle, Edwin J., New York, N. Y.
 Pringle, Edward G., New York, N. Y.
 Prioleau, Thomas G., New York, N. Y.
 Prior, Joseph H., Minneapolis, Minn.
 Pritchard, Jeter C., Asheville, N. C.
 Proctor, Frederick C., Beaumont, Texas.
 Proctor, Thomas W., Boston, Mass.
 Proper, George T., Minneapolis, Minn.
 Proskauer, Joseph M., New York, N. Y.
 Proudft, Robert M., Friend, Neb.
 Prouty, Charles A. (Washington, D. C.), Newport, Vt.
 Provosty, Olivier O., New Orleans, La.
 Pruden, William D., Edenton, N. C.
 Prugh, Harry H., Dayton, Ohio.
 Pruitt, Drew, Los Angeles, Cal.
 Prussing, Eugene E., Chicago, Ill.
 Pryor, Thomas B., Fort Smith, Ark.
 Puckett, William H., Boise, Idaho.
 Pugh, Arthur B., Salem, Va. (Washington, D. C.)
 Pugh, George B., Little Rock, Ark.
 Pugh, Robert C., Cincinnati, Ohio.
 Pujo, Arsene P., Lake Charles, La.
 Pullman, John S., Bridgeport, Conn.
 Pulsifer, George Royal, Boston, Mass.
 Pulsifer, Park B., Concordia, Kan.
 Purcell, S. W., Long Beach, Cal.
 Purcell, William E., Wahpeton, N. D.

- Purdy, Lawson, New York, N. Y.
 Purnell, Clayton, Frostburg, Md.
 Purrington, William Archer, New York, N. Y.
 Pusey, Fred. Taylor, Philadelphia, Pa.
 Putnam, Harrington, Brooklyn, N. Y.
 Putnam, James L., Boston, Mass.
 Putnam, William L., Boston, Mass.
 Putney, Edmonds, New York, N. Y.
 Pyle, E. P., Stockville, Nebr.
 Pyle, Emery Clinton, Los Angeles, Cal.
 Quackenbush, James L., New York, N. Y.
 Quaid, John E., El Paso, Texas.
 Quail, Frank A., Cleveland, Ohio.
 Quarles, James, Louisville, Ky.
 Quarles, Louis, Milwaukee, Wis.
 Quarles, William C., Milwaukee, Wis.
 Quattlebaum, Julius W., Anderson, S. C.
 Quigley, Henry C., Bellefonte, Pa.
 Quincy, Josiah Hatch, Boston, Mass.
 Quinn, Frank J., Peoria, Ill.
 Quinn, Frank S., Texarkana, Ark.
 Quinn, John, New York, N. Y.
 Quinn, Patrick Henry, Providence, R. I.
 Quintero, Lamar C., New Orleans, La.
 Quinton, A. B., Topeka, Kans.
 Qvale, G. E., Willmar, Minn.
 Rachels, J. N., Searcy, Ark.
 Rackemann, Charles Sedgwick, Boston, Mass.
 Rackemann, Felix, Boston, Mass.
 Radcliffe, Samuel J., Larimore, N. D.
 Rafferty, William F., Syracuse, N. Y.
 Raftyce, Matthias L., Chicago, Ill.
 Ragland, William T., Paris, Mo.
 Ragudale, J. Willard, Florence, S. C.
 Baker, John E., (Washington, D. C.), Alturas, Cal.
 Ralls, Joseph G., Atoka, Okla.
 Ralston, Jackson H., Washington, D. C.
 Ralston, Robert, Philadelphia, Pa.
 Ramage, C. J., Saluda, S. C.
 Ramsey, George S., Muskogee, Okla.
 Ramsey, George W., Washington, D. C.
 Ramsey, H. J., Seattle, Wash.
 Ramsey, William C., Omaha, Nebr.
 Rand, Frederic H., Jr., Miami, Fla.
 Rand, William, Jr., New York, N. Y.
 Randall, Daniel R., Annapolis, Md.
 Randall, Edmund B., Paterson, N. J.
 Randall, Henry E., St. Paul, Minn.
 Randall, Robert E., Freeport, Me.
 Randolph, Charles T., Clinton, Okla.
 Randolph, Edgar D., La Fayette, Ind.
 Randolph, Edward H., Shreveport, La.
 Randolph, Hollins N., Atlanta, Ga.
 Randolph, Kendall B., St. Joseph, Mo.
 Randolph, William M., Memphis, Tenn.
 Rankin, Charles W., Shanghai, China.
 Ranney, Fletcher, Boston, Mass.
 Ransom, William Lynn, New York, N. Y.
 Raper, Emery E., Lexington, N. C.
 Rasco, R. D., De Witt, Ark.
 Rasmieur, Leo S., St. Louis, Mo.
 Rasmieur, Theodore, St. Louis, Mo.
 Ratcliffe, William C., Little Rock, Ark.
 Rathbone, Henry R., Chicago, Ill.
 Rathbun, Charles A., Morristown, N. J.
 Rathbun, Herbert W., Mystic, Conn.
 Rathgeber, Emilie E., Long Island City, N. Y.
 Rawle, Francis, Philadelphia, Pa.
 Rawley, James Kent, Richmond, Va.
 Rawls, William L., Baltimore, Md.
 Ray, Charles T., Louisville, Ky.
 Ray, George W., Norwich, N. Y.
 Ray, James J., Jasper, Ala.
 Ray, William W., Salt Lake City, Utah.
 Raymond, Eugene, Philadelphia, Pa.
 Raymond, John Marshall, Salem, Mass.
 Raymond, Robert F., Boston, Mass.
 Reynolds, Herbert F., Albuquerque, N. M.
 Raysor, Thomas M., Orangeburg, S. C.
 Read, Charles C., Boston, Mass.
 Read, Cloyd H., Dallas, Texas.
 Read, James F., Fort Smith, Ark.
 Read, William T., Camden, N. J.
 Read, William T., New York, N. Y.
 Reading, John G., Williamsport, Pa.
 Ready, James H., Omaha, Nebr.
 Reames, Clarence L., Portland, Ore.
 Reardon, William J., Pekin, Ill.
 Rearick, Bertram D., Philadelphia, Pa.
 Rearick, George F., Danville, Ill.
 Reasoner, James M., Lansing, Mich.
 Reass, Benjamin, Brooklyn, N. Y.
 Reavill, David A., Rock Springs, Wyo.
 Reber, J. Howard, Philadelphia, Pa.
 Rector, Edward, Chicago, Ill.
 Rector, Fred C., Columbus, Ohio.
 Rector, N. A., Austin, Texas.
 Reddin, John H., Denver, Col.
 Redding, Joseph D., San Francisco, Cal.
 Redding, William A., New York, N. Y.
 Reddoch, Charles F., Boise, Idaho.
 Redfield, Henry S., New York, N. Y.
 Redick, Oak C., Omaha, Nebr.
 Redick, William A., Omaha, Nebr.
 Redmond, John W., Newport, Vt.
 Redmond, William W., Marysville, Kans.
 Redwine, R. B., Monroe, N. C.
 Reed, Albert A., Boulder, Col.
 Reed, Carl W., Cresco, Iowa.
 Reed, David Aiken, Pittsburgh, Pa.
 Reed, Frank F., Chicago, Ill.
 Reed, H. T., Cresco, Iowa.
 Reed, James A., Kansas City, Mo.
 Reed, James H., Pittsburgh, Pa.

- Reed, John P., Chicago, Ill.
 Reed, John W., Brookville, Pa.
 Reed, M. A., St. Joseph, Mo.
 Reed, Richard F., Jackson, Miss.
 Reed, Robert R., New York, N. Y.
 Reed, Sanderson, Portland, Ore.
 Reed, William L., Chicago, Ill.
 Reed, William M., Paducah, Ky.
 Reeder, Lyman F., Batesville, Ark.
 Rees, Allen F., Houghton, Mich.
 Reese, Daniel R., Scranton, Pa.
 Reese, Mancoah B., Lincoln, Nebr.
 Reeves, Alfred G., New York, N. Y.
 Reeves, George W., Watertown, N. Y.
 Reeves, Herbert, New York, N. Y.
 Regan, Edward A., Los Angeles, Cal.
 Regennitter, Erwin L., Idaho Springs, Col.
 Reid, A. H., Wausau, Wis.
 Reid, Ambrose B., Pittsburgh, Pa.
 Reid, C. C., Little Rock, Ark.
 Reid, George T., Tacoma, Wash.
 Reid, William C., Albuquerque, N. M.
 Reilly, Edward James, Brooklyn, N. Y.
 Reilly, Frank Paine, Rochester, N. Y.
 Reilly, Owen M., Phoenix, N. Y.
 Reilly, Paul, Philadelphia, Pa.
 Reinhardt, George, Kansas City, Mo.
 Reiter, Julius H., New York, N. Y.
 Rellstab, John, Trenton, N. J.
 Relyea, William C., New York, N. Y.
 Remak, Gustavus, Jr., Philadelphia, Pa.
 Remick, James W., Concord, N. H.
 Remley, Theodore, Kansas City, Mo.
 Remsen, Daniel S., New York, N. Y.
 Renahan, A. B., Santa Fe, N. M.
 Revercomb, George A., Covington, Va.
 Rex, Walter E., Philadelphia, Pa.
 Reynolds, A. G., Painesville, Ohio.
 Reynolds, Allen H., Walla Walla, Wash.
 Reynolds, Asa Q., Chicago, Ill.
 Reynolds, Elba, Belmont, N. Y.
 Reynolds, Frank C., Keyser, W. Va.
 Reynolds, George D., St. Louis, Mo.
 Reynolds, George Vogdes, St. Louis, Mo.
 Reynolds, James Bronson, New York, N. Y.
 Reynolds, John, Philadelphia, Pa.
 Reynolds, John Chandler, Jacksonville, Fla.
 Reynolds, John J., Boston, Mass.
 Reynolds, John M., Bedford, Pa.
 Reynolds, Joseph Ward, Duluth, Minn.
 Reynolds, Leonard J., Brooklyn, N. Y.
 Reynolds, Thomas H., Kansas City, Mo.
 Rhodes, D. L., Idaho City, Idaho.
 Rhodes, Harry A., Spokane, Wash.
 Rhodes, James E. 2nd, Hartford, Conn.
 Rhodes, James P., Milan, Tenn.
 Rhodes, M. E., Potosi, Mo.
 Rhone, Mortimer C., Williamsport, Pa.
 Rice, Benjamin H., Austin, Texas.
 Rice, Charles E., Wilkes-Barre, Pa.
 Rice, Herbert A., Providence, R. I.
 Rice, John C., Boston, Mass.
 Rice, Leon L., Anderson, S. C.
 Rice, William E., Warren, Pa.
 Rice, William G., Deadwood, S. D.
 Rich, Benjamin L., Salt Lake City, Utah.
 Rich, Burdett A., Rochester, N. Y.
 Rich, Edson, Omaha, Neb.
 Rich, Edward N., Baltimore, Md.
 Rich, George F., Berlin, N. H.
 Rich, George P., Philadelphia, Pa.
 Richards, Albin L., Boston, Mass.
 Richards, Elmer E., Farmington, Me.
 Richards, Franklin S., Salt Lake City, Utah.
 Richards, H. Campbell, Wheeling, W. Va.
 Richards, Harry S., Madison, Wis.
 Richards, James H., Boise, Ida.
 Richards, John T., Chicago, Ill.
 Richards, Robert, Reno, Nev.
 Richards, Robert H., Wilmington, Del.
 Richards, Samuel H., Bridgeport, N. J.
 Richards, Stephen L., Salt Lake City, Utah.
 Richardson, Charles F., Boston, Mass.
 Richardson, E. Stanley, Philadelphia, Pa.
 Richardson, Harold J., St. Paul, Minn.
 Richardson, Harris, St. Paul, Minn.
 Richardson, Henry T., Boston, Mass.
 Richardson, James D., Murfreesboro, Tenn.
 Richardson, John H., Baltimore, Md.
 Richardson, John S., Boston, Mass.
 Richardson, W. K., Boston, Mass.
 Richberg, Donald R., Chicago, Ill.
 Richberg, John C., Chicago, Ill.
 Richmann, Alex. F., Chicago, Ill.
 Richmond, Benjamin A., Cumberland, Md.
 Richmond, T. C., Madison, Wis.
 Ricketta, John B., Jackson, Miss.
 Riddick, W. G., Little Rock, Ark.
 Riddle, F. E., Chickasha, Okla.
 Riddle, Harry C., Denver, Colo.
 Rider, George O., Pekin, Ill.
 Ridgely, Henry, Dover, Del.
 Ridgely, Hilliard S., Cheyenne, Wyo.
 Ridgway, Thomas, Philadelphia, Pa.
 Riedell, John H., Manchester, N. H.
 Riegelman, Charles A., New York, N. Y.
 Riegelmann, Edward, New York, N. Y.
 Rielly, William J., Cincinnati, Ohio.
 Riely, Henry C., Richmond, Va.
 Rightmire, George W., Columbus, Ohio.
 Riker, Adrian, Newark, N. J.

- Riker, Samuel, Jr., New York, N. Y.
 Riley, George B., Cleveland, Ohio.
 Riley, Henry C., New Madrid, Mo.
 Rilling, John S., Erie, Pa.
 Rinaker, Samuel, Beatrice, Neb.
 Rine, John A., Omaha, Neb.
 Rinehart, C. D., Jacksonville, Fla.
 Riordan, Daniel E., Wausau, Wis.
 Riordan, Philip J., Minneapolis, Minn.
 Rippey, Harlan W., Rochester, N. Y.
 Ritchie, Albert, New York, N. Y.
 Ritchie, Albert C., Baltimore, Md.
 Ritchie, David S., Valley City, N. D.
 Ritchie, Edwards, Cincinnati, Ohio.
 Ritchie, William, Chicago, Ill.
 Riter, W. D., Salt Lake City, Utah.
 Rittenhouse, George B., Chandler, Okla.
 Ritter, A. Howard, Philadelphia, Pa.
 Ritter, Alfred, Colorado Springs, Colo.
 Ritter, Frederick W., Jr., Washington, D. C.
 Ritterbusch, Hugo H., New York, N. Y.
 Ritz, Harold A., Bluefield, W. Va.
 Rix, Carl B., Milwaukee, Wis.
 Rixford, E. H., San Francisco, Cal.
 Roads, George M., Pottsville, Pa.
 Robb, Bamford A., Seattle, Wash.
 Robb, Charles H. (Washington, D. C.),
 Bellows Falls, Vt.
 Robbins, Alexander H., St. Louis, Mo.
 Robbins, Charles A., Lincoln, Neb.
 Robbins, Edward D., New Haven, Conn.
 Robbins, Henry S., Chicago, Ill.
 Robbins, Josephus Ewing, Mayfield, Ky.
 Robbins, Samuel K., Camden, N. J.
 Roberson, L. E., Live Oak, Fla.
 Robert, Douglas W., St. Louis, Mo.
 Roberts, C. Wilson, Philadelphia, Pa.
 Roberts, Clarence J., Santa Fe, N. Mex.
 Roberts, Clarence M., Marlboro, Md.
 Roberts, D. E., Superior, Wis.
 Roberts, George L., Boston, Mass.
 Roberts, George L., Pittsburgh, Pa.
 Roberts, Harlan P., Minneapolis, Minn.
 Roberts, James L., Kansas City, Mo.
 Roberts, John W., Seattle, Wash.
 Roberts, Owen J., Philadelphia, Pa.
 Roberts, Richard, El Reno, Okla.
 Roberts, Robert, Burlington, Vt.
 Roberts, William J., Keokuk, Iowa.
 Roberts, William P., Minneapolis, Minn.
 Robertson, A. Heaton, New Haven, Conn.
 Robertson, Alex. G. M., Honolulu, Hawaii.
 Robertson, C. D., Cincinnati, Ohio.
 Robertson, Fred, Topeka, Kans.
 Robertson, J. B. A., Oklahoma City, Okla.
 Robertson, James, Minneapolis, Minn.
 Robertson, James M., Meridian, Texas.
 Robertson, Ralph E., Juneau, Alaska.
 Robertson, T. N., Little Rock, Ark.
 Robertson, Thomas B., Eastville, Va.
 Robertson, Westcott, High Point, N. C.
 Robertson, William F., Dallas, Texas.
 Robeson, Andrew C., Greenville, Ohio.
 Robins, John Quitman, Tupelo, Miss.
 Robinson, Beverly R., New York, N. Y.
 Robinson, Elijah, Kansas City, Mo.
 Robinson, H. W., New Orleans, La.
 Robinson, Harold L., Uniontown, Pa.
 Robinson, Ira E., Charleston, W. Va.
 Robinson, J. C., Hartington, Nebr.
 Robinson, James W., Clarkburg, W. Va.
 Robinson, Jed W., Grafton, W. Va.
 Robinson, John C., New York, N. Y.
 Robinson, Joseph T., Lonoke, Ark.
 Robinson, Morgan P., Richmond, Va.
 Robinson, Nathaniel S., Milwaukee, Wis.
 Robinson, Thomas H., Bel Air, Md.
 Robinson, V. Gilpin, Philadelphia, Pa.
 Robinson, William J., Honolulu, Hawaii.
 Robson, Frank E., Detroit, Mich.
 Robson, James A., Canandaigua, N. Y.
 Robson, Stuart M., Springfield, Mass.
 Rockafellow, J. B., Atlantic, Iowa.
 Rockhold, Frank A., Chicago, Ill.
 Rockwood, Chelsea J., Minneapolis, Minn.
 Rockwood, Nash, Saratoga Springs, N. Y.
 Rodenbeck, Adolph J., Rochester, N. Y.
 Rodgers, R. D., Mexico, Mo.
 Rodgers, Rollin W., Texarkana, Texas.
 Rodgers, William B., Butte, Mont.
 Rodman, Walter C., Philadelphia, Pa.
 Rodman, William Blount, Norfolk, Va.
 Rodriguez-Serra, Manuel, San Juan, P. R.
 Roe, Charles J., Jersey City, N. J.
 Roe, Gilbert E., New York, N. Y.
 Roe, William, Farmington, Ill.
 Roe, William, Wolcott, N. Y.
 Roehl, Theodore, New Orleans, La.
 Roesser, John E., New York, N. Y.
 Roettinger, Stanley C., Cincinnati, Ohio.
 Rogan, William A., Chicago, Ill.
 Rogers, E. A., Salt Lake City, Utah.
 Rogers, Edward H., New Haven, Conn.
 Rogers, Edward S., Chicago, Ill.
 Rogers, Frank S., North Troy, Vt.
 Rogers, George Lyman, Boston, Mass.
 Rogers, Gustavus A., New York, N. Y.
 Rogers, Harry H., Tulsa, Okla.
 Rogers, Henry T., Denver, Col.
 Rogers, Henry Wade, New Haven, Conn.
 Rogers, Hubert E., New York, N. Y.
 Rogers, James C., Hyattsville, Md.
 Rogers, James S., Philadelphia, Pa.
 Rogers, L. Harding, Jr., New York, N. Y.
 Rogers, Noah Cornwell, New York, N. Y.

- Rogers, Platt, Denver, Col.
 Rogers, Robert Fletcher, New York, N. Y.
 Rogers, Robert H., Waco, Tex.
 Rogers, Silas W., Conway, Ark.
 Rogers, Walter F., Washington, D. C.
 Rogers, William P., Cincinnati, Ohio.
 Rogers, Z. B., Elberton, Ga.
 Rolapp, Henry H., Ogden, Utah.
 Rollins, Albert M., Brockton, Mass.
 Rollins, Thomas Scott, Asheville, N. C.
 Romain, Armand, New Orleans, La.
 Rombauer, Edgar R., St. Louis, Mo.
 Rombauer, Roderick E., St. Louis, Mo.
 Ronald, J. T., Seattle, Wash.
 Ronan, Edward D., Albany, N. Y.
 Ronnebaum, Anthony, Cincinnati, Ohio.
 Rooney, John Jerome, New York, N. Y.
 Rooney, Thomas Edward, Chicago, Ill.
 Roop, Redmond I., Christiansburg, Va.
 Root, Edwin B., Los Angeles, Cal.
 Root, Elihu (Washington, D. C.), New York, N. Y.
 Root, Elihu, Jr., New York, N. Y.
 Root, Jesse L., Omaha, Nebr.
 Rose, A. J., Miami, Fla.
 Rose, Charles G., Chicago, Ill.
 Rose, George B., Little Rock, Ark.
 Rose, Henry H., Los Angeles, Cal.
 Rose, John A., Chicago, Ill.
 Rose, John C., Baltimore, Md.
 Rosen, Charles, New Orleans, La.
 Rosenbaum, M. I., Chicago, Ill.
 Rosenberg, Ely, New York, N. Y.
 Rosenberg, James N., New York, N. Y.
 Rosenberg, Maurice D., Washington, D. C.
 Rosenberg, Maximilian T., Jersey City, N. J.
 Rosenberg, William C., New York, N. Y.
 Rosenberger, Emil, Philadelphia, Pa.
 Rosenberger, Jules C., Kansas City, Mo.
 Rosenberry, Marvin B., Wausau, Wis.
 Rosenbloom, Benjamin Louis, Wheeling, W. Va.
 Rosenbluth, Louis M., New Haven, Conn.
 Rosendale, Simon W., Albany, N. Y.
 Rosenthal, Alexander Sidney, New York, N. Y.
 Rosenthal, Herman, Lincoln, Nebr.
 Rosenthal, James, Chicago, Ill.
 Rosenthal, Lessing, Chicago, Ill.
 Rosenzweig, Grant I., Kansas City, Mo.
 Ross, David, Kalispell, Mont.
 Ross, Elmer E., Central City, Nebr.
 Ross, Erskine M., Los Angeles, Cal.
 Ross, George Ewing, Logansport, Ind.
 Ross, Guy W. C., Minneapolis, Minn.
 Ross, Henry D., Phoenix, Ariz.
 Ross, J. Stewart, Brooklyn, N. Y.
 Ross, John Mason, Bisbee, Arizona.
 Ross, Walter W., Chicago, Ill.
 Ross, William B., Cheyenne, Wyo.
 Rosser, J. B., Jr., New Orleans, La.
 Rosser, Luther Z., Atlanta, Ga.
 Rosser, Malcolm E., Muskogee, Okla.
 Rothchild, Walter, San Francisco, Cal.
 Rothenberg, William, Cleveland, Ohio.
 Rothermel, P. F., Jr., Philadelphia, Pa.
 Rothmann, William, Chicago, Ill.
 Rothschild, Jerome J., Philadelphia, Pa.
 Rounds, Arthur C., New York, N. Y.
 Rounds, Ralph S., New York, N. Y.
 Rountree, George, Wilmington, N. C.
 Rourke, John, Jr., Savannah, Ga.
 Rourke, William J., Reading, Pa.
 Rouse, John T., Cincinnati, Ohio.
 Rouse, N. J., Kinston, N. C.
 Rouse, Owen T., Tucson, Ariz.
 Rouse, Shelley D., Covington, Ky.
 Routledge, James, San Antonio, Texas.
 Rowe, Charles T. B., New York, N. Y.
 Rowe, Leo Stanton, Philadelphia, Pa.
 Rowe, Purcell, San Francisco, Cal.
 Rowe, R. H., Madison, Fla.
 Rowe, William V., New York, N. Y.
 Rowell, Alexander H., Pine Bluff, Ark.
 Rowland, Hugh B., Washington, D. C.
 Rowland, Lloyd A., Bartlesville, Okla.
 Rowlette, Thomas M., New York, N. Y.
 Roy, Robert H., Brooklyn, N. Y.
 Rozelle, Frank F., Kansas City, Mo.
 Rubens, Harry, Chicago, Ill.
 Rubenstein, Philip, Boston, Mass.
 Rubin, J. Robert, New York, N. Y.
 Rubino, Henry A., New York, N. Y.
 Ruby, Edward H., Boston, Mass.
 Rudd, William Platt, Albany, N. Y.
 Rudolph, Z. T., Birmingham, Ala.
 Ruffin, Thomas, Washington, D. C.
 Rugg, Arthur P., Worcester, Mass.
 Ruggles, Daniel B., Boston, Mass.
 Ruhl, Christian H., Reading, Pa.
 Rumble, E. H., Norfolk, Va.
 Rummler, William R., Chicago, Ill.
 Runcie, James E., West Point, N. Y.
 Runk, Louis Barcroft, Philadelphia, Pa.
 Runke, Richard B., Merrill, Wis.
 Runnells, John S., Chicago, Ill.
 Runo, Victor E., Worcester, Mass.
 Runyon, Isaac P., Plainfield, N. J.
 Rupe, John L., Richmond, Ind.
 Rupley, Arthur R., Carlisle, Pa.
 Ruppel, William H., Somerset, Pa.
 Ruppenthal, Jacob C., Russell, Kans.
 Rush, Sylvester R., Omaha, Neb.
 Rush, Thomas E., New York, N. Y.
 Rushmore, Charles E., New York, N. Y.

- Rushton, Ray, Montgomery, Ala.
 Russell, Charles A., Gloucester, Mass.
 Russell, Charles Howland, New York, N. Y.
 Russell, Charles T., New York, N. Y.
 Russell, Frank F., Putnam, Conn.
 Russell, Frederick C., New Haven, Conn.
 Russell, George S., Philadelphia, Pa.
 Russell, Gordon, Sherman, Texas.
 Russell, Henry, Detroit, Mich.
 Russell, Isaac F., New York, N. Y.
 Russell, J. Porter, Boston, Mass.
 Russell, Joseph J., Charleston, Mo.
 Russell, Philip W., New York, N. Y.
 Russell, R. B., Atlanta, Ga.
 Russell, Samuel, Salt Lake City, Utah.
 Russell, Talcott H., New Haven, Conn.
 Rutherford, John, Richmond, Va.
 Rutherford, Charles H., Jerome, Ariz.
 Rutledge, Arthur M., Louisville, Ky.
 Rutledge, B. H., Charleston, S. C.
 Ryall, Arthur H., Escanaba, Mich.
 Ryan, Andrew J., Chicago, Ill.
 Ryan, Charles G., Grand Island, Neo.
 Ryan, Charles J., Brooklyn, N. Y.
 Ryan, Daniel A., San Francisco, Cal.
 Ryan, John J., Medina, N. Y.
 Ryan, Joseph T., New York, N. Y.
 Ryan, M. E., Brainerd, Minn.
 Ryan, Michael J., Philadelphia, Pa.
 Ryan, O'Neill, St. Louis, Mo.
 Ryan, Richard, Cleveland, Ohio.
 Ryan, Thomas F., Litchfield, Conn.
 Ryan, Thomas F., St. Joseph, Mo.
 Ryan, W. H., Girard, Kans.
 Ryan, William, Syracuse, N. Y.
 Ryan, William C., Doylestown, Pa.
 Ryden, Otto G., Chicago, Ill.
 Ryder, Clayton, Carmel, N. Y.
 Ryder, Erastus C., Bangor, Me.
 Rymer, Ralph W., Scranton, Pa.
 Ryon, Oscar B., Streator, Ill.
 Ryon, William W., Shamokin, Pa.
 Saal, Irving R., New Orleans, La.
 Sabbath, Joseph, Chicago, Ill.
 Sabin, Fred A., La Junta, Col.
 Sabin, Leland H., Battle Creek, Mich.
 Sabine, William, Boston, Mass.
 Sackett, Clarence, Newark, N. J.
 Sackett, Henry W., New York, N. Y.
 Sadtler, Howard P., Baltimore, Md.
 Sage, Dean, New York, N. Y.
 Sager, Arthur N., New York, N. Y.
 Sain, David B., Nashville, Ark.
 Sain, J. G., Nashville, Ark.
 St. Clair, Clency, Idaho Falls, Idaho.
 St. Clair-Abrams, Alex., Jacksonville, Fla.
 St. John, Charles J., Bristol, Tenn.
 Salmon, E. J., Newton, Iowa.
 Salmon, Joshua R., Morristown, N. J.
 Salomon, Mark M., New York, N. Y.
 Salisbury, Elias D., Indianapolis, Ind.
 Saltonstall, Richard M., Boston, Mass.
 Sampliner, Joseph H., Cleveland, Ohio.
 Sampson, Henry E., Des Moines, Iowa.
 Sams, Andrew Fuller, Winston-Salem, N. C.
 Samuels, Sidney L., Fort Worth, Tex.
 Samuelson, John E., Duluth, Minn.
 Sanborn, A. L., Madison, Wis.
 Sanborn, Edward P., St. Paul, Minn.
 Sanborn, Frederick H., New York, N. Y.
 Sanborn, John B., St. Paul, Minn.
 Sanborn, John Bell, Madison, Wis.
 Sanborn, Walter H., St. Paul, Minn.
 Sanders, Henry Williams, Louisville, Ky.
 Sanders, J. M., Center, Texas.
 Sanders, J. O. S., Jackson, Miss.
 Sanders, John A., Tonopah, Nev.
 Sanders, Joseph M., Bluefield, W. Va.
 Sanders, W. B., Cleveland, Ohio.
 Sanders, W. T., Athens, Ala.
 Sanderson, Thomas A., Sturgeon Bay, Wis.
 Sandford, Edward, New York, N. Y.
 Sando, M. F., Scranton, Pa.
 Sands, William H., Richmond, Va.
 Saner, John C., Dallas, Texas.
 Saner, Robert E. Lee, Dallas, Tex.
 Sanford, Allan D., Waco, Tex.
 Sanford, Allen T., Salt Lake City, Utah.
 Sanford, Charles M., Smithtown Branch, N. Y.
 Sanford, Edward T., Knoxville, Tenn.
 Sanford, Elmer B., Los Angeles, Cal.
 Sanford, Ferdinand V., Warwick, N. Y.
 Sanner, Sidney, Helena, Mont.
 Sapp, Sidney, Holbrook, Ariz.
 Sapp, W. F., Galena, Kans.
 Sappington, Augustine DeR., Baltimore, Md.
 Sappington, Edward H., Baltimore, Md.
 Sappington, G. Ridgely, Baltimore, Md.
 Sargent, F. W., Des Moines, Iowa.
 Sargent, John G., Ludlow, Vt.
 Sarpy, Henry L., New Orleans, La.
 Sasscer, Frederick, Upper Marlboro, Md.
 Sasse, Frank G., Austin, Minn.
 Sater, John E., Columbus, Ohio.
 Satterfield, James M., Dover, Del.
 Satterlee, Herbert L., New York, N. Y.
 Satterthwaite, Reuben, Jr., Wilmington, Del.
 Sauerwein, E. Allan, Jr., Baltimore, Md.
 Saul, John A., Washington, D. C.
 Saul, Maurice Bower, Philadelphia, Pa.
 Saul, Walter Biddle, Philadelphia, Pa.
 Saulsberry, Willard, Washington, D. C.

- Saunders, C. G., Council Bluffs, Iowa.
 Saunders, Charles G., Boston, Mass.
 Saunders, Walter H., St. Louis, Mo.
 Sauter, L. E., Chicago, Ill.
 Savage, Albert R., Auburn, Me.
 Saville, Huntington, Boston, Mass.
 Sawdey, David A., Erie, Pa.
 Sawtell, Frank M., Boston, Mass.
 Sawyer, Abial B., Jr., Salt Lake City, Utah.
 Sawyer, Alfred P., Lowell, Mass.
 Sawyer, Andrew J., Lincoln, Nebr.
 Sawyer, Carlos P., Chicago, Ill.
 Sawyer, Clarence E., Portland, Me.
 Sawyer, Cleon J., New York, N. Y.
 Sawyer, George A., Boston, Mass.
 Sawyer, Hazen I., Keokuk, Iowa.
 Sawyer, Henry C., Boston, Mass.
 Sawyer, J. Ashby, Union, S. C.
 Sawyer, John Everett, Hudson Falls, N. Y.
 Sawyer, S. Nelson, Palmyra, N. Y.
 Saxe, John G., New York, N. Y.
 Saxe, John W., Boston, Mass.
 Saxon, Lyle, New Orleans, La.
 Sayler, Samuel M., Huntington, Ind.
 Sayre, Charles H., Philadelphia, Pa.
 Scaife, Hazel L., Clinton, S. C.
 Scaife, Lauriston L., Boston, Mass.
 Scallon, William, Helena, Mont.
 Scandrett, B. W., Omaha, Nebr.
 Scandrett, Henry A., Chicago, Ill.
 Scandrett, Richard B., Pittsburgh, Pa.
 Scanlan, Charles M., Milwaukee, Wis.
 Scanlan, Michael J., New York, N. Y.
 Scarborough, Robert B., Conway, S. C.
 Scarritt, William C., Kansas City, Mo.
 Scattergood, A. W., Ainsworth, Nebr.
 Schaadt, James L., Allentown, Pa.
 Schasp, Michael, New York, N. Y.
 Schaefer, Carl W., Cleveland, Ohio.
 Schaffer, William I., Chester, Pa.
 Schaffner, Arthur B., Chicago, Ill.
 Schall, Anthony X., Jr., Minneapolis, Minn.
 Schall, W. A., Omaha, Nebr.
 Schaubert, A. B., Laurel, Miss.
 Scherr, Harry, Williamson; W. Va.
 Schibsky, Frank, Kansas City, Mo.
 Schimpf, Theodore W., Atlantic City, N. J.
 Schindel, John Randolph, Cincinnati, Ohio.
 Schlesinger, Elmer, Chicago, Ill.
 Schmidt, C. B., St. Paul, Minn.
 Schmidt, Harry J., San Diego, Cal.
 Schmidt, Philip C., Duluth, Minn.
 Schmidt, Harrison L., Minneapolis, Minn.
 Schmitt, Walter, Cincinnati, Ohio.
 Schmook, John, Springfield, Mo.
 Schmuck, Peter, New York, N. Y.
 Schnabel, Charles J., Portland, Ore.
 Schnurmacher, Benjamin, St. Louis, Mo.
 Schofield, F. L., Hannibal, Mo.
 Schofield, Henry, Chicago, Ill.
 Schoonover, Albert, Los Angeles, Cal.
 Schoonover Frank S., Rochester, N. Y.
 Schoonover, Isaac E., Covington, Ind.
 Schoonover, Manford, Garnett, Kan.
 Schorr, David P., Cincinnati, Ohio.
 Schouler, James, Intervale, N. H.
 Schramm, Arnold O., New York, N. Y.
 Schreiber, George G., New York, N. Y.
 Schreiter, Henry, New York, N. Y.
 Schroeder, Peter F., Detroit, Minn.
 Schubring, E. J. B., Madison, Wis.
 Schulder, Russell G., Salt Lake City, Utah.
 Schultz, John H., Denver, Colo.
 Schultz, Malvern E., Cleveland, Ohio.
 Schulz, Rudolph F., Ivanhoe, Minn.
 Schurman, George W., New York, N. Y.
 Schurz, Carl L., New York, N. Y.
 Schwartz, Louis J., New York, N. Y.
 Schwartz, Louis L., Minneapolis, Minn.
 Schwarz, Adolph M., New York, N. Y.
 Schwarz, Ralph J., New Orleans, La.
 Scofield, George S., New York, N. Y.
 Scott, Charles, Rosedale, Miss.
 Scott, Edgar H., Omaha, Neb.
 Scott, Francis M., New York, N. Y.
 Scott, Frank E., Sulphur Springs, Texas.
 Scott, Frank H., Chicago, Ill.
 Scott, Frederick A., Hartford, Conn.
 Scott, Howard B., Danbury, Conn.
 Scott, James Brown, Washington, D. C.
 Scott, John, Jr., Philadelphia, Pa.
 Scott, John R. K., Philadelphia, Pa.
 Scott, Joseph, Los Angeles, Cal.
 Scott, R. B., Chicago, Ill.
 Scott, Rufus L., New York, N. Y.
 Scott, Samuel B., Philadelphia, Pa.
 Scott, Samuel Parsons, Hillsboro, Ohio.
 Scott, Thomas, Bakersfield, Cal.
 Scott, Tully, Denver, Col.
 Scott, William W., Washington, D. C.
 Scoville, Samuel, Jr., Philadelphia, Pa.
 Scripser, Earl William, Fort Covington, N. Y.
 Scrugham, William Warburton, Yonkers, N. Y.
 Scully, Cornelius D., Pittsburgh, Pa.
 Scully, Edward T., Pittsfield, Mass.
 Sea, John A., Independence, Mo.
 Seaberg, Hugo, Raton, N. Mex.
 Seabrook, Paul E., Savannah, Ga.
 Seabury, F. W., Brownsville, Tex.

- Seabury, Samuel, New York, N. Y.
 Seabury, William M., Phoenix, Ariz.
 Seager, Frank E., Fremont, Ohio.
 Seaman, Warren C., Mineola, N. Y.
 Searcy, W. N., Durango, Colo.
 Searcy, William W., Brenham, Tex.
 Searle, Alonzo T., Honesdale, Pa.
 Searle, Franklin E., New York, N. Y.
 Searles, J. Rolf, St. Johnsbury, Vt.
 Searls, Charles E., Putnam, Conn.
 Sears, Charles B., Buffalo, N. Y.
 Sears, Charles W., Omaha, Nebr.
 Sears, George B., Salem, Mass.
 Sears, Hector, Gardiner, N. Y.
 Sears, Nathaniel O., Chicago, Ill.
 Sears, Wm. R., Boston, Mass.
 Seasongood, Clifford, New York, N. Y.
 Seasongood, Murray, Cincinnati, Ohio.
 Seaton, Emmett, Richmond, Va.
 Seavey, Warren A., New Orleans, La.
 Seawell, Herbert F., Carthage, N. C.
 Seay, Edward T., Nashville, Tenn.
 Sedgwick, Samuel H., Lincoln, Neb.
 Sedillo, Antonio A., Albuquerque, N. Mex.
 Sedwick, John E., Martinsville, Ind.
 See, Cornelius S., Chicago, Ill.
 Seeger, Albert H. F., Newburgh, N. Y.
 Seever, George W., Oskaloosa, Iowa.
 Seibels, John T., Columbia, S. C.
 Selbert, William N., New Bloomfield, Pa.
 Selbridge, Arthur J., Boston, Mass.
 Selheimer, Henry C., Birmingham, Ala.
 Sellers, Emory B., Monticello, Ind.
 Selligman, Alfred, Louisville, Ky.
 Selling, Bernard B., Detroit, Mich.
 Selover, George H., Minneapolis, Minn.
 Semmes, John E., Jr., Baltimore, Md.
 Semple, Edward M., Key West, Fla.
 Semple, Lorenzo, New York, N. Y.
 Semple, Oliver C., New York, N. Y.
 Seneff, E. H., Pittsburgh, Pa.
 Senior, Edwin W., Salt Lake City, Utah.
 Sessions, C. W., Grand Rapids, Mich.
 Seth, Alexander L., Baltimore, Md.
 Settle, Warner Ellmore, Bowling Green, Ky.
 Severance, Cordenlo A., St. Paul, Minn.
 Sewall, Harold M., Bath, Me.
 Sewell, Albert H., Walton, N. Y.
 Sexton, James S., Hazlehurst, Miss.
 Sexton, Lawrence E., New York, N. Y.
 Sexton, Pliny T., Palmyra, N. Y.
 Seymour, Daniel, New York, N. Y.
 Seymour, Edmund Bayly, Jr., Philadelphia, Pa.
 Seymour, Henry A., Washington, D. C.
 Seymour, McNeil V., St. Paul, Minn.
 Seymour, Morris W., Bridgeport, Conn.
 Seymour, Origen Storrs, New York, N. Y.
 Shabad, Henry M., Chicago, Ill.
 Shackford, Samuel B., Dover, N. H.
 Shackelford, T. M., Jr., Tampa, Fla.
 Shaffer, O. Will, Olympia, Wash.
 Shaffer, Jacob H., New York, N. Y.
 Shafroth, John F., Denver, Col.
 Shanda, A. W., Cleveland, Miss.
 Shanklin, Arnold, Mexico City, Mex.
 Shannonhouse, William T., Norfolk, Va.
 Shapira, Samuel S., Pittsburgh, Pa.
 Shapiro, Charles H., Bridgeport, Conn.
 Sharp, J. F., Oklahoma City, Okla.
 Sharpe, Walter K., Chambersburg, Pa.
 Sharpstein, John L., Walla Walla, Wash.
 Sharpstein, W. C., San Francisco, Cal.
 Shattuck, Charles E., Boston, Mass.
 Shattuck, Frank R., Philadelphia, Pa.
 Shattuck, Henry Lee, Boston, Mass.
 Shaw, A. E., San Francisco, Cal.
 Shaw, B. W., Mandan, N. D.
 Shaw, Frank W., Patchogue, N. Y.
 Shaw, Frank W., Minneapolis, Minn.
 Shaw, George E., Pittsburg, Pa.
 Shaw, Harry, Fairmont, W. Va.
 Shaw, Henry Bigelow, Burlington, Vt.
 Shawkey, Curtis M., Warren, Pa.
 Shea, Thomas D., Wilkes-Barre, Pa.
 Shea, William F., Ashland, Wis.
 Sheafor, John W., Colorado Springs, Colo.
 Shear, B. D., Oklahoma City, Okla.
 Shearer, James D., Minneapolis, Minn.
 Shearn, Clarence J., New York, N. Y.
 Sheean, David, Galena, Ill.
 Sheean, Frank T., Galena, Ill.
 Sheean, James B., St. Paul, Minn.
 Sheean, James M., Chicago, Ill.
 Sheean, Thomas J., Galena, Ill.
 Sheehan, Joseph A., Boston, Mass.
 Sheehan, William F., New York, N. Y.
 Sheffield, James R., New York, N. Y.
 Sheffield, William P., Newport, R. I.
 Shelby, John T., Lexington, Ky.
 Sheldon, Edward W., New York, N. Y.
 Sheldon, Henry N., Boston, Mass.
 Sheldon, Nelson L., Boston, Mass.
 Shelley, William W., Kansas City, Mo.
 Shelton, George F., Butte, Mont.
 Shelton, H. H., Bristol, Tenn.
 Shelton, Nat. M., Macon, Mo.
 Shelton, Thomas Wall, Norfolk, Va.
 Shepard, Charles E., Seattle, Wash.
 Shepard, Frank L., Chicago, Ill.
 Shepard, Stuart G., Chicago, Ill.
 Shepherd, James L., Colorado, Tex.
 Shepley, Arthur B., St. Louis, Mo.
 Shepley, John F., St. Louis, Mo.
 Sheppard, George S., Penn Yan, N. Y.

- Sheppard, Jacob I., Ft. Scott, Kans.
 Sheppard, James G., Ft. Scott, Kans.
 Sheppard, John L., New York, N. Y.
 Sheppard, William B., Pensacola, Fla.
 Sheridan, Frank M., Paola, Kans.
 Sheridan, Harry C., Frankfort, Ind.
 Sheridan, Thomas F., Chicago, Ill.
 Sheriff, Andrew R., Chicago, Ill.
 Sheriff, H. H., Oskaloosa, Iowa.
 Sheriff, John C., Pittsburgh, Pa.
 Sherley, Swager, Washington, D. C.
 Sherman, Adrian F., Kansas City, Mo.
 Sherman, Charles P., New Haven, Conn.
 Sherman, Gordon E., Morristown, N. J.
 Sherman, P. Tecumseh, New York, N. Y.
 Sherman, Roland H., Boston, Mass.
 Sherrill, Charles Hitchcock, New York, N. Y.
 Sherwin, Frederic L., Colorado Springs, Colo.
 Sherwin, John C., Mason City, Iowa.
 Sherwood, Carl G., Clark, S. D.
 Sherwood, Paul J., Wilkes-Barre, Pa.
 Shick, Robert P., Philadelphia, Pa.
 Shields, Edmund C., Lansing, Mich.
 Shields, James M., Pittsburgh, Pa.
 Shields, John K., Washington, D. C.
 Shindel, Jay M., Lebanon, Pa.
 Shine, P. C., Spokane, Wash.
 Shipman, George M., Belvidere, N. J.
 Shiras, George, Jr., Pittsburgh, Pa.
 Shiras, Oliver P., Dubuque, Iowa.
 Shirk, Howard C., Lebanon, Pa.
 Shirley, C. C., Indianapolis, Ind.
 Shiveley, Charles E., Richmond, Ind.
 Shoemaker, Harry J., Doylestown, Pa.
 Shoemaker, Herbert Brodiah, New York, N. Y.
 Shoemaker, William H., Philadelphia, Pa.
 Shomo, William A., Reading, Pa.
 Short, Frank H., Fresno, Cal.
 Short, Myron D., Canandaigua, N. Y.
 Shortridge, Samuel M., San Francisco, Cal.
 Shotwell, A. V., Omaha, Nebr.
 Shoyer, Frederick J., Philadelphia, Pa.
 Shreve, Milton W., Erie, Pa.
 Shrewsbury, George H., Charleston, W. Va.
 Shriver, Alfred J., Baltimore, Md.
 Shull, Delos C., Sioux City, Iowa.
 Shull, S. E., Stroudsburg, Pa.
 Shulman, Max, Chicago, Ill.
 Shurtleff, Charles A., San Francisco, Cal.
 Shute, G. W., Globe, Ariz.
 Shutts, Frank B., Miami, Fla.
 Sicher, Dudley F., New York, N. Y.
 Siddall, George B., Cleveland, Ohio.
 Siddons, Frederick Lincoln, Washington, D. C.
 Sidener, Howard, St. Louis, Mo.
 Sidley, William P., Chicago, Ill.
 Sidway, Frank S., Buffalo, N. Y.
 Sieber, George W., Akron, Ohio.
 Siegel, Isaac, New York, N. Y.
 Siegelstein, Bennett E., New York, N. Y.
 Silber, Clarence J., Chicago, Ill.
 Silber, Frederick D., Chicago, Ill.
 Sillocks, Henry, New York, N. Y.
 Silverman, Samuel S., Boston, Mass.
 Silwold, Henry, Newton, Iowa.
 Simkins, Daniel W., Philadelphia, Pa.
 Simmerman, R. E. Lee, Hartford, Ky.
 Simmons, George D., Hicksville, Ohio.
 Simmons, J. S., Hutchinson, Kan.
 Simmons, Maurice, New York, N. Y.
 Simmons, Robert C., Covington, Ky.
 Simms, Charles Carroll, Barnwell, S. C.
 Simms, Dan W., Lafayette, Ind.
 Simms, John F., Albuquerque, N. Mex.
 Simms, John T., Fayetteville, W. Va.
 Simonds, Lincoln S., Gloucester, Mass.
 Simons, Leonard M., Belle Fourche, S. D.
 Simonson, Theodore, Newton, N. J.
 Simpson, Alexander, Jr., Philadelphia, Pa.
 Simpson, David F., Minneapolis, Minn.
 Simpson, Frank Leslie, Boston, Mass.
 Simpson, John W., New York, N. Y.
 Simpson, William L., Cody, Wyo.
 Sims, Edwin W., Chicago, Ill.
 Sims, Frederick Wilmer, Louisa, Va.
 Sims, Henry Upson, Birmingham, Ala.
 Sims, Jacob, Denison, Iowa.
 Singeltary, John B., Bradentown, Fla.
 Singer, Jacob, Philadelphia, Pa.
 Sinn, Joseph A., Brooklyn, N. Y.
 Siqueland, Tryggve A., Chicago, Ill.
 Sirtine, William G., Greenville, S. C.
 Sisk, James H., Lynn, Mass.
 Sivley, Clarence L., Memphis, Tenn.
 Skeen, David Alfred, Salt Lake City, Utah.
 Skeen, Jedediah D., Salt Lake City, Utah.
 Skeen, John Henry, Baltimore, Md.
 Skeen, William Riley, Ogden City, Utah.
 Skelton, William B., Lewiston, Me.
 Skinker, Thomas K., St. Louis, Mo.
 Skinner, Alfred F., Newark, N. J.
 Skinner, George A., Long Beach, Cal.
 Skinner, Harry, Greenville, N. C.
 Slack, Charles W., San Francisco, Cal.
 Slack, John C., Pittsburgh, Pa.
 Slack, Leighton P., St. Johnsbury, Vt.
 Slade, John A., Saratoga Springs, N. Y.
 Slater, John S., Boston, Mass.
 Slattery, Frank P., Wilkes-Barre, Pa.
 Slattery, Joseph A., Philadelphia, Pa.

- Sieman, Paul, Washington, D. C.
 Slingluff, Jesse, Baltimore, Md.
 Slingluff, R. Lee, Baltimore, Md.
 Sloan, Maurice Worrell, Philadelphia, Pa.
 Sloan, Richard E., Phoenix, Ariz.
 Slocum, Edward T., Pittsfield, Mass.
 Slocum, John W., Long Branch, N. J.
 Sloman, Adolph, Detroit, Mich.
 Slonecker, J. G., Topeka, Kan.
 Sloom, Stanley E., Louisville, Ky.
 Small, Harold R., St. Louis, Mo.
 Small, John H., Washington, N. C.
 Small, R. M., Nashville, Tenn.
 Smart, C. A., Ottawa, Kans.
 Smart, James G., Kansas City, Mo.
 Smart, John Harrow, Cleveland, Ohio.
 Smathers, Frank, Atlantic City, N. J.
 Smead, Alexander D. B., Carlisle, Pa.
 Smiley, James J., Cincinnati, Ohio.
 Smith, A. B., Montrose, Pa.
 Smith, A. L., Marietta, Ohio.
 Smith, A. Page, Albany, N. Y.
 Smith, Alexander W., Sr., Atlanta, Ga.
 Smith, Alfred Percival, Philadelphia, Pa.
 Smith, Allison O., Clearfield, Pa.
 Smith, Arthur Thad, Boston, Mass.
 Smith, Benjamin D., Mankato, Minn.
 Smith, Benner X., Salt Lake City, Utah.
 Smith, Bertram L., Patten, Me.
 Smith, Burton, Atlanta, Ga.
 Smith, Cecil H., Sherman, Texas.
 Smith, Charles B., Cincinnati, Ohio.
 Smith, Charles Blood, Topeka, Kan.
 Smith, Charles C., Guthrie, Okla.
 Smith, Charles David, Gloucester, Mass.
 Smith, Charles F., Oklahoma City, Okla.
 Smith, Charles H., Knoxville, Tenn.
 Smith, Charles W., Indianapolis, Ind.
 Smith, Charles W., Topeka, Kans.
 Smith, Curtis Nye, Boston, Mass.
 Smith, D. F., Kalspell, Mont.
 Smith, Earl, Mason City, Iowa.
 Smith, Earl A., New York, N. Y.
 Smith, Edward C., St. Albans, Vt.
 Smith, Edward E., Minneapolis, Minn.
 Smith, Edward G., Clarksburg, W. Va.
 Smith, Edward J., Nashville, Tenn.
 Smith, Edward L., Hartford, Conn.
 Smith, Edwin W., Pittsburgh, Pa.
 Smith, Ellison G., Pierre, S. D.
 Smith, Eugene G., Lancaster, Pa.
 Smith, Fitz-Henry, Jr., Boston, Mass.
 Smith, Frank, Little Rock, Ark.
 Smith, Frank Bulkeley, Worcester, Mass.
 Smith, Frank Channing, Jr., Worcester, Mass.
 Smith, Frank Eugene, Plattsburgh, N. Y.
 Smith, Frank O., Prescott, Ariz.
 Smith, Frank Sullivan, New York, N. Y.
 Smith, Frederick A., Chicago, Ill.
 Smith, George H., Salt Lake City, Utah.
 Smith, Gilmer P., Memphis, Tenn.
 Smith, Grant H., San Francisco, Cal.
 Smith, H. C., Helena, Mont.
 Smith, H. Alexander, Colorado Springs, Colo.
 Smith, Hal H., Detroit, Mich.
 Smith, Harrison Brooks, Charleston, W. Va.
 Smith, Harvey F., Clarksburg, W. Va.
 Smith, Henry A., Middleton, Charleston, S. C.
 Smith, Henry E., Nashville, Tenn.
 Smith, Howard B., Omaha, Neb.
 Smith, Isham N., Portland, Ore.
 Smith, James F., Washington, D. C.
 Smith, Jeremiah, Jr., Boston, Mass.
 Smith, John Lewis, Washington, D. C.
 Smith, John R., Denver, Col.
 Smith, John R. L., Macon, Ga.
 Smith, John Thomas, New York, N. Y.
 Smith, Lamar, Del Rio, Texas.
 Smith, L. D., Knoxville, Tenn.
 Smith, Laurence W., Grand Rapids, Mich.
 Smith, Levin, Parkersburg, W. Va.
 Smith, Luther Ely, St. Louis, Mo.
 Smith, Lyndon A., St. Paul, Minn.
 Smith, Marcus A., Tucson, Ariz.
 Smith, Nelson, New York, N. Y.
 Smith, O. M., Valdosta, Ga.
 Smith, R. S. B., Berryville, Va.
 Smith, Richard H., New York, N. Y.
 Smith, Robert E., Birmingham, Ala.
 Smith, Robert H., Mobile, Ala.
 Smith, Robert Lee, Albemarle, N. C.
 Smith, Robert T., Nashville, Tenn.
 Smith, Ross P., Chanute, Kans.
 Smith, Rufus B., Cincinnati, Ohio.
 Smith, Samuel Bosworth, Chattanooga, Tenn.
 Smith, Sam Ferry, San Diego, Cal.
 Smith, Samuel W., Jr., Cincinnati, Ohio.
 Smith, Solon W., Fort Worth, Texas.
 Smith, Thomas J., Butler, Mo.
 Smith, Thomas Kilby, Philadelphia, Pa.
 Smith, Victor Lamar, Atlanta, Ga.
 Smith, Wallis C., Saginaw, Mich.
 Smith, Walter Bourne, Chicago, Ill.
 Smith, Walter George, Philadelphia, Pa.
 Smith, Walter I., Council Bluffs, Iowa.
 Smith, William B., Little Rock, Ark.
 Smith, William H., Hilo, Hawaii.
 Smith, William Hazlitt, Ithaca, N. Y.
 Smith, William M., St. Johns, Mich.
 Smith, William Mason, New York, N. Y.
 Smith, William O., Honolulu, Hawaii.

- Smith, William P., Miami, Fla.
 Smith, William Rudolph, Philadelphia, Pa.
 Smith, William S., Meadville, Pa.
 Smith, William T., Sparta, Tenn.
 Smith, Willis B., Richmond, Va.
 Smith, Winfield R., Seattle, Wash.
 Smithdeal, C. M., Dallas, Texas.
 Smithers, William W., Philadelphia, Pa.
 Smithson, Noble, Knoxville, Tenn.
 Smoot, Harry E., Chicago, Ill.
 Smyser, Nathan S., Chicago, Ill.
 Smyth, David J., Philadelphia, Pa.
 Smyth, Herbert C., New York, N. Y.
 Snare, Jacob, Philadelphia, Pa.
 Snedeker, Henry H., New York, N. Y.
 Snider, E. L., Kansas City, Mo.
 Snider, Millard F., Clarksburg, W. Va.
 Snodgrass, F. A., Little Rock, Ark.
 Snow, Alpheus H., Washington, D. C.
 Snow, David W., Portland, Me.
 Snow, Donald F., Bangor, Me.
 Snow, Leslie P., Rochester, N. H.
 Snowden, Wilton, Jr., Baltimore, Md.
 Snyder, Bismarck, Salt Lake City, Utah.
 Snyder, J. Frank, Clearfield, Pa.
 Snyder, Jeff B., Tallulah, La.
 Snyder, John E., Hershey, Pa.
 Snyder, Warren K., Oklahoma City, Okla.
 Snyder, Wilson I., Salt Lake City, Utah.
 Sohler, William D., Boston, Mass.
 Sohon, Henry W., Washington, D. C.
 Solinger, Jacob, Louisville, Ky.
 Solly, William F., Norristown, Pa.
 Solomon, William, New York, N. Y.
 Somers, Peter J., Goldfield, Nev.
 Somerville, Thomas H., University, Oxford, Miss.
 Sommer, Frank H., Newark, N. J.
 Sommerville, J. B., Wheeling, W. Va.
 Sommerville, W. B., New Orleans, La.
 Somsen, Henry N., New Ulm, Minn.
 Sonfield, Leon, Houston, Texas.
 Sonnenberg, Louis M., New York, N. Y.
 Soper, Erastus B., Emmetsburg, Iowa.
 Soper, Morris A., Baltimore, Md.
 Soule, Frank, New Orleans, La.
 Soule, O. P., Salt Lake City, Utah.
 Southard, Louis C., Boston, Mass.
 Southmayd, L. H., Van Buren, Ark.
 Southworth, Constant, Cincinnati, Ohio.
 Spafford, John A., Bridgeport, Conn.
 Spalding, Burleigh Folsom, Fargo, N. D.
 Spalding, Elliott, St. Joseph, Mo.
 Spalding, Lyman A., New York, N. Y.
 Sparkman, E. L., Tampa, Fla.
 Sparkman, Stephen M., Tampa, Fla.
 Sparks, Frederick W., Brooklyn, N. Y.
 Spaulding, Harry W., Manchester, N. H.
 Spear, Albert M., Augusta, Me.
 Spear, Ellis, Washington, D. C.
 Spear, George H., Duluth, Minn.
 Spearing, J. Zach., New Orleans, La.
 Spears, W. D., Chattanooga, Tenn.
 Speer, Emory, Macon, Ga. (Mt. Airy, Ga.)
 Speer, Peter M., Oil City, Pa.
 Speer, William H., Jersey City, N. J.
 Speiser, Maurice J., Philadelphia, Pa.
 Spelliasy, Denis A., New York, N. Y.
 Spellman, Benjamin F., New York, N. Y.
 Spellman, Clarence I., Kansas City, Mo.
 Spence, Union L., Carthage, N. C.
 Spencer, A. E., Joplin, Mo.
 Spencer, Charles C., Monticello, Ind.
 Spencer, H. R., Duluth, Minn.
 Spencer, J. S., Point Pleasant, W. Va.
 Spencer, Nelson E., Rochester, N. Y.
 Spencer, R. L., St. Joseph, Mo.
 Spencer, Selden P., St. Louis, Mo.
 Spencer, Walker Brainerd, New Orleans, La.
 Speranza, Gino C., New York, N. Y.
 Sperry, Howard A., New York, N. Y.
 Spiegelberg, Eugene E., New York, N. Y.
 Spiers, Edward, Oklahoma City, Okla.
 Spillane, Charles, Waseca, Minn.
 Spilman, Robert S., Charleston, W. Va.
 Spingarn, Arthur B., New York, N. Y.
 Spirk, Charles A., Seattle, Wash.
 Spooner, Charles P., New York, N. Y.
 Spooner, John C., New York, N. Y.
 Sprague, Charles H., Boston, Mass.
 Sprague, Rufus W., Jr., New York, N. Y.
 Spratt, Maurice C., Buffalo, N. Y.
 Spratt, Thomas, Ogdensburg, N. Y.
 Sprigg, Carroll, Dayton, Ohio.
 Sprigg, Patterson, San Diego, Cal.
 Spring, Arthur L., Boston, Mass.
 Spring, Romney, Boston, Mass.
 Sprinkle, Thomas H., St. Louis, Mo.
 Sproat, E. G., Hammond, Ind.
 Sprout, Clarence E., Williamsport, Pa.
 Spurgeon, William H., Colorado Springs, Colo.
 Spyker, Samuel I., Huntingdon, Pa.
 Squiers, Arnon L., New York, N. Y.
 Squire, Andrew, Cleveland, Ohio.
 Squire, Eben H. P., White Plains, N. Y.
 Squires, Edwin E., Broken Bow, Nebr.
 Staake, William H., Philadelphia, Pa.
 Staake, William W., Philadelphia, Pa.
 Stadtfeld, Joseph, Pittsburgh, Pa.
 Stafford, Charles B., Chicago, Ill.
 Stafford, Ethelred M., New Orleans, La.
 Stafford, William H., Chippewa Falls, Wis.
 Stafford, Wendell P., Washington, D. C.

- Stagg, Charles Tracey, Ithaca, N. Y.
 Stahl, Charles H., Akron, Ohio.
 Stambaugh, Harry F., Pittsburg, Pa.
 Stamm, A. C., Harrisburg, Pa.
 Stanchfield, John B., New York, N. Y.
 Standifer, E. M., Portland, Ore.
 Standrod, D. W., Pocatello, Idaho.
 Stanford, H. L. D., Princess Anne, Md.
 Stanley, James G., Lead, S. D.
 Stanley, Marion F., Aurora, Nebr.
 Stanton, Horace B., Boston, Mass.
 Stanton, Lewis E., Hartford, Conn.
 Stapleton, Luke D., Brooklyn, N. Y.
 Stapleton, William J., Chicago, Ill.
 Starr, Lewis, Camden, N. J.
 Starr, Merritt, Chicago, Ill.
 Stasel, Albert A., Newark, Ohio.
 Staton, John W., Snow Hill, Md.
 Staum, John E. M., Baltimore, Md.
 Stayton, Joseph M., Newport, Ark.
 Stayton, Robert W., Corpus Christi, Texas.
 Stearns, Charles F., Providence, R. I.
 Stearns, Frederic W., San Diego, Cal.
 Stearns, J. O., Portland, Ore.
 Stearns, Joseph T., Burlington, Vt.
 Stebbins, Byron H., Madison, Wis.
 Stebbins, Charles H., Boston, Mass.
 Stebbins, Lewis A., Chicago, Ill.
 Stedman, Livingston B., Seattle, Wash.
 Steel, Will, Texarkana, Ark.
 Steele, D. W., Jr., New York, N. Y.
 Steele, George P., Denver, Colo.
 Steele, Guy W., Westminster, Md.
 Steele, Henry J., Easton, Pa.
 Steele, John H., Minneapolis, Minn.
 Steele, Sanford H., New York, N. Y.
 Steele, William M., Superior, Wis.
 Steen, J. M., Memphis, Tenn.
 Steere, Charles, Boston, Mass.
 Steger, Thomas Maddin, Nashville, Tenn.
 Steger, William E., Nashville, Tenn.
 Stein, Charles F., Baltimore, Md.
 Steinbugler, John L., New York, N. Y.
 Steinemann, George C., Sandusky, Ohio.
 Steiner, Robert E., Jr., Montgomery, Ala.
 Steinhardt, Samuel O., New York, N. Y.
 Steinhart, Jesse H., San Francisco, Cal.
 Steinhaus, Isaac, New York, N. Y.
 Steining, Cloyd, Lewisburg, Pa.
 Stalk, John, Chicago, Ill.
 Stenger, William S., Philadelphia, Pa.
 Stephen, Frank M., Riverdale, Md.
 Stephens, Alex. W., Atlanta, Ga.
 Stephens, Amos Harry, New York, N. Y.
 Stephens, Charles H., Cincinnati, Ohio.
 Stephens, Frank B., Salt Lake City, Utah.
 Stephens, Louis L., Pierre, S. D.
 Stephens, R. Allan, Danville, Ill.
- Stephens, Redmond D., Chicago, Ill.
 Stephens, W. J., Missoula, Mont.
 Stephens, William B., Savannah, Ga.
 Stephenson George R., Yates Centre, Kans.
 Sterling, Thomas, Vermillion, S. D.
 (Washington, D. C.)
 Stern, Henry Root, New York, N. Y.
 Stern, Louis E., Atlantic City, N. J.
 Stern, Philip H., Montgomery, Ala.
 Sterne, Samuel R., Spokane, Wash.
 Sterner, Clarence P., Philadelphia, Pa.
 Sterrett, James R., Pittsburgh, Pa.
 Stetson, Francis Lynde, New York, N. Y.
 Stettinius, John L., Cincinnati, Ohio.
 Stuart, James L., New York, N. Y.
 Stevens, Carlos W., Fort Myers, Fla.
 Stevens, E. Ray, Madison, Wis.
 Stevens, Elisha M., Lynn, Mass.
 Stevens, Frederick W., New York, N. Y.
 Stevens, George M., Chicago, Ill.
 Stevens, Henry Webster, Concord, N. H.
 Stevens, J. Morgan, Jackson, Miss.
 Stevens, John C., Jr., Milwaukee, Wis.
 Stevens, Mark W., Flint, Mich.
 Stevens, Raymond B., Landaff, N. H.
 Stevens, Roland E., White River Junction, Vt.
 Stevens, Solon W., Lowell, Mass.
 Stevens, T. M., Mobile, Ala.
 Stevens, Walter C., Paris, France.
 Stevens, William K., Reading Pa.
 Stevenson, Archie M., Denver, Col.
 Stevenson, Elmer E., Indianapolis, Ind.
 Stevenson, Eugene, Paterson, N. J.
 Stevenson, W. A., Commerce, Ga.
 Stewart, A. E., Des Moines, Iowa.
 Stewart, Alexander P., Cape Girardeau, Mo.
 Stewart, Alphonso Chase, St. Louis, Mo.
 Stewart, Barnard J., Salt Lake City, Utah.
 Stewart, Calvin, Kenosha, Wis.
 Stewart, Charles B., Salt Lake City, Utah.
 Stewart, Daniel A., Philadelphia, Pa.
 Stewart, Edgar B., Morgantown, W. Va.
 Stewart, F. Alexander, Minneapolis, Minn.
 Stewart, George B., Fort Madison, Iowa.
 Stewart, J. J., Council Bluffs, Iowa.
 Stewart, J. W. M., Ashland, Ky.
 Stewart, James G., Cincinnati, Ohio.
 Stewart, Maco, Galveston, Texas.
 Stewart, Robert, Brooklyn, N. Y.
 Stewart, Robert W., Chicago, Ill.
 Stewart, Russell C., Easton, Pa.
 Stewart, Samuel W., Salt Lake City, Utah.
 Stewart, T. Lawrence, Winchester, Tenn.
 Stewart, W. F. Bay, York, Pa.
 Stewart, Willard E., Lincoln, Neb.
 Stewart, William M., Jr., Philadelphia, Pa.
 Stickney, William B. C., Rutland, Vt.

- Stier, Joseph F., New York, N. Y.
 Stiles, James A., Gardner, Mass.
 Stillman, Herman W., Chicago, Ill.
 Stillman, Walter S. (Omaha, Neb.),
 Council Bluffs, Iowa.
 Stilwell, William H., Phoenix, Ariz.
 Stimson, Edward C., Denver, Colo.
 Stimson, Frederic J., Boston, Mass.
 Stinchfield, Frederick H., Minneapolis,
 Minn.
 Stines, Edward C., Providence, R. I.
 Stivers, D. Gay, Butte, Mont.
 Stivers, Frank A., Ann Arbor, Mich.
 Stobbart, Arthur J., New York, N. Y.
 Stockbridge, Henry, Baltimore, Md.
 Stocks, S. D., Mexico, Mo.
 Stockton, Howard, Jr., Boston, Mass.
 Stockwell, Herbert G., Philadelphia, Pa.
 Stoddard, Elliott J., Detroit, Mich.
 Stoddard, John M., New York, N. Y.
 Stoehr, Oscar, Cincinnati, Ohio.
 Stoever, William C., Philadelphia, Pa.
 Stokely, J. T., Birmingham, Ala.
 Stokes, Edward T., Port Henry, N. Y.
 Stokes, John P., Pensacola, Fla.
 Stokes, Jordon, Nashville, Tenn.
 Stokes, Jordon, Jr., Nashville, Tenn.
 Stokes, Wyndham, Welch, W. Va.
 Stoll, Richard C., Lexington, Ky.
 Stollenwerck, Frank, Montgomery, Ala.
 Stolz, Benjamin, Syracuse, N. Y.
 Stone, Edward C., Boston, Mass.
 Stone, Frederic M., Boston, Mass.
 Stone, Harlan F., New York, N. Y.
 Stone, Henry L., Louisville, Ky.
 Stone, James, Sr., Oxford, Miss.
 Stone, John G., Houghton, Mich.
 Stone, John W., Lansing, Mich.
 Stone, Joseph C., Muskogee, Okla.
 Stone, Kimbrough, Independence, Mo.
 Stone, Robert, Topeka, Kan.
 Stone, Robert B., Boston, Mass.
 Stone, Royal A., St. Paul, Minn.
 Stone, William Evans, Oxford, Miss.
 Stone, Willmore B., Springfield, Mass.
 Stoneman, David, Boston, Mass.
 Stoneman, George J., Phoenix, Ariz.
 Storey, James L., Houston, Tex.
 Storey, Moorfield, Boston, Mass.
 Storey, Richard C., Boston, Mass.
 Storrs, Henry E., Los Angeles, Cal.
 Story, Hampden, Shreveport, La.
 Story, William, Salt Lake City, Utah.
 Story, William, Jr., Salt Lake City, Utah.
 Stott, B. N. C., Salt Lake City, Utah.
 Stotz, Robert A., Easton, Pa.
 Stoughton, A. B., Philadelphia, Pa.
 Stout, Robert L., Versailles, Ky.
- Stovall, A. T., Okalona, Miss.
 Stover, Fred W., Fort Collins, Colo.
 Stover, Martin L., New York, N. Y.
 Stow, Fred W., Fort Collins, Col.
 Strang, S. Bartow, Chattanooga, Tenn.
 Strange, W. T., Dallas, Texas.
 Straus, Isaac Lobe, Baltimore, Md.
 Straus, Simeon, Chicago, Ill.
 Strauss, Charles, New York, N. Y.
 Strauss, I. C., Sumter, S. C.
 Strauss, Oscar, Des Moines, Iowa.
 Strawn, Lester H., Ottawa, Ill.
 Strawa, Silas H., Chicago, Ill.
 Streepey, John P., Little Rock, Ark.
 Street, Robert G., Galveston, Tex.
 Streeter, Frank S., Concord, N. H.
 Streeter, Thomas W., Boston, Mass.
 Stricker, Adam E., New York, N. Y.
 Stricker, Sidney G., Cincinnati, Ohio.
 Strickland, John J., Athens, Ga.
 Strickler, David P., Colorado Springs,
 Colo.
 Stringer, Edward C., St. Paul, Minn.
 Stringfellow, Horace, Montgomery, Ala.
 Stringfellow, William E., St. Joseph, Mo.
 Strode, Aubrey E., Lynchburg, Va.
 Strode, Jesse B., Lincoln, Nebr.
 Stroh, Charles C., Harrisburg, Pa.
 Strong, Alan H., Philadelphia, Pa.
 Strong, Edward W., Cincinnati, Ohio.
 Strong, John M., Philadelphia, Pa.
 Strong, Theodore, New Brunswick, N. J.
 Strother, Albert R., Kansas City, Mo.
 Strother, D. J. F., Welch, W. Va.
 Strother, J. A., Welch, W. Va.
 Strother, James French, Welch, W. Va.
 Strouse, Louis H., New York, N. Y.
 Struse, Otto F., Brooklyn, N. Y.
 Stryker, John E., St. Paul, Minn.
 Stuart, Albert R., Baltimore, Md.
 Stuart, Allison E., Lafayette, Ind.
 Stuart, Barnwell S., Denver, Colo.
 Stuart, Charles E., Oklahoma City, Okla.
 Stuart, D. Sullins, Athens, Tenn.
 Stuart, H. L., Oklahoma City, Okla.
 Stuart, William V., Lafayette, Ind.
 Stubbs, Charles J., Galveston, Texas.
 Stubbs, Frank P., Jr., Monroe, La.
 Stubbs, James B., Galveston, Tex.
 Stuckey, M. M., Newport, Ark.
 Studley, J. Butler, Boston, Mass.
 Stueve, Clement A., Wapakoneta, Ohio.
 Stump, A. Welles, New York, N. Y.
 Stump, H. Arthur, Baltimore, Md.
 Sturdevant, Willard L., St. Louis, Mo.
 Sturges, George R., Woodbury, Conn.
 Sturges, Ralph A., New York, N. Y.
 Sturgis, Roger F., Boston, Mass.

- Sturgis, W. J., Uniontown, Pa.
 Sturtevant, Charles L., Washington, D. C.
 Stutzbach, Martin H., Philadelphia, Pa.
 Suffren, Charles C., Brooklyn, N. Y.
 Sugarman, S. Charles, New York, N. Y.
 Suggett, John W., Cortland, N. Y.
 Soghru, Michael J., Boston, Mass.
 Squire, Frank O., Cincinnati, Ohio.
 Suits, Fred E., Oklahoma City, Okla.
 Suitts, Frederick R., Newport, Ark.
 Sulgrove, James, Choteau, Mont.
 Sullivan, Edward M., Providence, R. I.
 Sullivan, Florence J., New York, N. Y.
 Sullivan, Francis W., Duluth, Minn.
 Sullivan, Frank H., St. Louis, Mo.
 Sullivan, Frank P., Sault Ste. Marie, Mich.
 Sullivan, Isaac N., Boise, Idaho.
 Sullivan, J. C., San Antonio, Tex.
 Sullivan, J. J., Pensacola, Fla.
 Sullivan, James E., Muskegon, Mich.
 Sullivan, James W., Lynn, Mass.
 Sullivan, Jerre F., San Francisco, Cal.
 Sullivan, Jerry B., (Des Moines, Iowa). New York, N. Y.
 Sullivan, John A., Boston, Mass.
 Sullivan, John F., Altoona, Pa.
 Sullivan, John J., Cleveland, Ohio.
 Sullivan, John J., Philadelphia, Pa.
 Sullivan, Mark, New York, N. Y.
 Sullivan, Mark A., Jersey City, N. J.
 Sullivan, Michael L., Salem, Mass.
 Sullivan, Patrick H., Manchester, N. H.
 Sullivan, Thomas A., Buffalo, N. Y.
 Sullivan, Thomas H., Worcester, Mass.
 Sullivan, William B., Boston, Mass.
 Sullivan, William C., Washington, D. C.
 Sullivan, William H., Rochester, N. Y.
 Sulzberger, Mayer, Philadelphia, Pa.
 Sulzberger, Myron, New York, N. Y.
 Sulzer, William, New York, N. Y.
 Summerfield, Sardis, Reno, Nev.
 Summerill, Joseph J., Woodbury, N. J.
 Summers, A. W., Orangeburg, S. C.
 Surr, Howard, San Bernardino, Cal.
 Sutherland, Arthur E., Rochester, N. Y.
 Sutherland, George, Salt Lake City, Utah.
 Sutherland, George G., Janesville, Wis.
 Sutphin, Dudley V., Cincinnati, Ohio.
 Sutro, Oscar, San Francisco, Cal.
 Sutro, Theodore, New York, N. Y.
 Sutton, Robert Woods, Pittsburgh, Pa.
 Swain, Roger Dyer, Boston, Mass.
 Swan, Edgar M., Van Couver, Wash.
 Swan, George Brewster, Beaver Dam, Wis.
 Swan, James G., Minneapolis, Minn.
 Swaney, W. B., Chattanooga, Tenn.
 Swansen, Sam T., Madison, Wis.
 Swartley, Francis K., Philadelphia, Pa.
 Swarts, Solomon L., St. Louis, Mo.
 Swartz, Arthur L., Milton, Pa.
 Swartz, Edwin M., St. Joseph, Mo.
 Swasey, John P., Canton, Me.
 Swayze, Francis J., Newark, N. J.
 Swearingen, J. M., Pittsburg, Pa.
 Sweat, Joel L., Waycross, Ga.
 Sweeney, Eugene, New York, N. Y.
 Sweeney, John M., Naugatuck, Conn.
 Sweeney, John W., Providence, R. I.
 Sweetland, Monroe M., Ithaca, N. Y.
 Sweetser, George A., Boston, Mass.
 Swett, Frank W., Chicago, Ill.
 Swetting, Ernest V., Algona, Iowa.
 Swift, Charles M., Middlebury, Vt.
 Swift, James Marcus, Boston, Mass.
 Swig, Louis, Taunton, Mass.
 Swisher, B. F., Waterloo, Iowa.
 Switzer, John F., Topeka, Kan.
 Swoope, Roland D., Curwensville, Pa.
 Sykes, Henry W., New York, N. Y.
 Sykes, W. E., Marietta, Ohio.
 Syme, Conrad H., Washington, D. C.
 Symes, J. Foster, Denver, Colo.
 Symmers, James Keith, New York, N. Y.
 Symonds, Joseph W., Portland, Me.
 Synnestvedt, Paul, Pittsburg, Pa.
 Synnott, J. H., Dallas, Texas.
 Tabb, George Cary, Louisville, Ky.
 Taber, E. J. L., Elko, Nev.
 Tabor, Ira R., Davenport, Iowa.
 Taft, Edgar S., Gloucester, Mass.
 Taft, Elihu B., Burlington, Vt.
 Taft, George S., Worcester, Mass.
 Taft, Henry W., New York, N. Y.
 Taft, William H., New Haven, Conn.
 Taggart, E. J., Wellington, Kans.
 Taggart, Edward, Grand Rapids, Mich.
 Taggart, Frank, Wooster, Ohio.
 Taggart, Ganson, Grand Rapids, Mich.
 Taggart, Jay P., Ada, Ohio.
 Taggart, W. Rush, New York, N. Y.
 Taintor, Giles, Boston, Mass.
 Tait, Edwin E., Bradford, Pa.
 Talbird, Thomas, Beaufort, S. C.
 Talbot, A. R., Lincoln, Nebr.
 Talbot, Edmund H., Boston, Mass.
 Talbot, George F., Carson City, Nev.
 Talbot, Harry A., New York, N. Y.
 Talcott, Charles A., Utica, N. Y.
 Taliaferro, Sinclair, Houston, Texas.
 Taliaferro, Thomas Seddon, Jr., Rock Springs, Wyo.
 Talley, R. H., Richmond, Va.
 Tallmadge, C. Paul, Chicago, Ill.
 Tallman, Boyd J., Seattle, Wash.

- Tanner, W. V., Olympia, Wash.
 Tappan, J. B. Coles, New York, N. Y.
 Tapscott, James R., Yreka, Cal.
 Tarlton, B. D., Austin, Tex.
 Tate, Hugh M., Knoxville, Tenn.
 Taub, Otto, Houston, Texas.
 Taubman, Edward T., Aberdeen, S. D.
 Taulane, Joseph H., Philadelphia, Pa.
 Taussig, James, St. Louis, Mo.
 Tawney, James A., Winona, Minn.
 Taylor, Alva E., Huron, S. D.
 Taylor, Amos Leavitt, Boston, Mass.
 Taylor, Archibald H., Baltimore, Md.
 Taylor, B. B., Baton Rouge, La.
 Taylor, Benjamin, Port Chester, N. Y.
 Taylor, Charles I., New York, N. Y.
 Taylor, Edward I., Boston, Mass.
 Taylor, Francis B., Hempstead, N. Y.
 Taylor, Franklin, New York, N. Y.
 Taylor, Frederick C., Stamford, Conn.
 Taylor, George H., New York, N. Y.
 Taylor, H. H., Key West, Fla.
 Taylor, Hannis, Washington, D. C.
 Taylor, Harold, Indianapolis, Ind.
 Taylor, Howard, New York, N. Y.
 Taylor, James S., Iola, Kans.
 Taylor, John C. R., Middletown, N. Y.
 Taylor, John Robert, New York, N. Y.
 Taylor, Jonathan, Akron, Ohio.
 Taylor, Joseph T., Philadelphia, Pa.
 Taylor, Leslie J., Taylorville, Ill.
 Taylor, Myron C., New York, N. Y.
 Taylor, Myron D., St. Paul, Minn.
 Taylor, Orville J., Jr., Chicago, Ill.
 Taylor, Perry Post, St. Louis, Mo.
 Taylor, R. Fenwick, Tallahassee, Fla.
 Taylor, R. S., Fort Wayne, Ind.
 Taylor, Tazewell, Norfolk, Va.
 Taylor, Thomas, Jr., Chicago, Ill.
 Taylor, Walter F., New York, N. Y.
 Taylor, Walter R., Kalamazoo, Mich.
 Teagarden, Bruce W., San Antonio, Texas.
 Teal, Joseph N., Portland, Ore.
 Tears, Daniel W., Denver, Col.
 Tecklenburg, F. J., Belleville, Ill.
 Tedrow, Harry B., Boulder, Colo.
 Teegarden, John C., Anderson, Ind.
 Teigen, Tore, Sioux Falls, S. D.
 Teisen, Axel, Philadelphia, Pa.
 Teller, Carroll A., Chicago, Ill.
 Teller, John D., Auburn, N. Y.
 Templeton, Richard H., Buffalo, N. Y.
 Ten Broek, G. H., St. Louis, Mo.
 Tennant, George G., Jersey City, N. J.
 Tennant, W. Brydon, Richmond, Va.
 Tenney, Charles Homer, Madison, Wis.
 Tenney, Horace Kent, Chicago, Ill.
 TePoel, Louis J., Omaha, Nebr.
 Terhune, R. S., Seattle, Wash.
 Terrell, Robert M., Pocatello, Idaho.
 Terrell, Thomas F., Pocatello, Idaho.
 Terriberry, George Hitchings, New Orleans, La.
 Terry, Charles Thaddeus, New York, N. Y.
 Terry, J. W., Galveston, Tex.
 Terry, Walter J., Little Rock, Ark.
 Texidor, Jacinto, San Juan, P. R.
 Thatcher, Archibald G., New York, N. Y.
 Thatcher, John H., Kansas City, Mo.
 Thatcher, Thomas, New York, N. Y.
 Thacker, Charles M., Oklahoma City, Okla.
 Thatcher, F. H., Winona, Minn.
 Thatcher, George B., Carson City, Nev.
 Thaxter, Sidney St. F., Portland, Me.
 Thayer, Rufus, San Francisco, Cal.
 Thayer, Rufus H., Nantucket, Mass.
 Thayer, Wade Warren, Honolulu, Hawaii
 Theard, Charles J., New Orleans, La.
 Theisen, S. Joseph, San Francisco, Cal.
 Theobald, Thomas Dudley, Grayson, Ky.
 Thetford, William F., Jr., Montgomery, Ala.
 Theus, John C., Monroe, La.
 Thilborger, Edward J., New Orleans, La.
 Thole, Francis H., Philadelphia, Pa.
 Thom, Alfred P., Washington, D. C.
 Thom, Corcoran, Washington, D. C.
 Thom, J. Pembroke, Baltimore, Md.
 Thomas, Charles S., Denver, Col.
 Thomas, D. H., Salt Lake City, Utah.
 Thomas, E. Perry, Eufala, Ala.
 Thomas, Edward H., Washington, D. C.
 Thomas, Edwin S., New Haven, Conn.
 Thomas, J. Hanson, Baltimore, Md.
 Thomas, J. J., Seward, Nebr.
 Thomas, John P., Jr., Columbia, S. C.
 Thomas, John W., Pittsburgh, Pa.
 Thomas, Joseph L., Camden, N. J.
 Thomas, Morris St. Palais, Chicago, Ill.
 Thomas, R. C. P., Bowling Green, Ky.
 Thomas, Samuel Bell, New York, N. Y.
 Thomas, Samuel Hinds, Philadelphia, Pa.
 Thomas, Thomas W., Bowling Green, Ky.
 Thomas, W. G. M., Chattanooga, Tenn.
 Thomas, William H., Santa Ana, Cal.
 Thomas, William H., Westminster, Md.
 Thomas, William O., Kansas City, Mo.
 Thomason, Edwin Browne, Richmond, Va.
 Thomason, Frank D., Chicago, Ill.
 Thomason, Lew R., Poplar Bluff, Mo.
 Thomason, Samuel Emory, Chicago, Ill.
 Thompson, A. C. N., Middletown, N. Y.
 Thompson, A. L., Mahanomen, Minn.
 Thompson, A. M., Pittsburgh, Pa.
 Thompson, Arthur R., Washington, D. C.

- Thompson, Benjamin, Portland, Me.
 Thompson, Charles S., Milwaukee, Wis.
 Thompson, David A., Albany, N. Y.
 Thompson, Frank D., Barton, Vt.
 Thompson, Frank E., Honolulu, Hawaii.
 Thompson, George E., Bangor, Me.
 Thompson, Guy A., St. Louis, Mo.
 Thompson, Henry C., Jr., Philadelphia, Pa.
 Thompson, Horace B., Pocatello, Idaho.
 Thompson, J. A., Rogersville, Tenn.
 Thompson, J. Campbell, New York, N. Y.
 Thompson, J. M., Caldwell, Idaho.
 Thompson, J. Whitaker, Philadelphia, Pa.
 Thompson, John C., Oshkosh, Wis.
 Thompson, John G., Goldfield, Nev.
 Thompson, John Walcott, Salt Lake City, Utah.
 Thompson, Lloyd, Westfield, N. J.
 Thompson, Robert F., Canandaigua, N. Y.
 Thompson, Robert H., Jackson, Miss.
 Thompson, Samuel Huston, Jr., Washington, D. C.
 Thompson, W. Lair, Lakeview, Ore.
 Thompson, William B., St. Louis, Mo.
 Thompson, William G., Boston, Mass.
 Thompson, William H., Grand Island, Neb.
 Thompson, William Hall, Greeley, Colo.
 Thompson, William H., Garden City, Kans.
 Thoms, William E., Waterbury, Conn.
 Thomson, W. D., Atlanta, Ga.
 Thorington, J. W., Montgomery, Ala.
 Thorn, Charles E., New York, N. Y.
 Thorndike, Herbert C., Brockton, Mass.
 Thorndike, John Larkin, Boston, Mass.
 Thorne, Clifford, Des Moines, Iowa.
 Thorne, Paul C., Oatman, Ariz.
 Thorne, Samuel, Jr., New York, N. Y.
 Thornley, William H., Providence, R. I.
 Thornton, Charles S., Chicago, Ill.
 Thornton, J. R., Alexandria, La.
 Thornton, William L., Monticello, N. Y.
 Thorp, Charles M., Pittsburgh, Pa.
 Throckmorton, Archibald Hall, Cleveland, Ohio.
 Thum, William Warwick, Louisville, Ky.
 Thurman, Samuel R., Salt Lake City, Utah.
 Thurmond, N. D., Fulton, Mo.
 Thurston, Charles S., Saranac Lake, N. Y.
 Thurston, Edward S., Minneapolis, Minn.
 Thurston, Wilmarth H., Providence, R. I.
 Thweatt, Charles B., De Valls Bluff, Ark.
 Thygeson, N. M., Minneapolis, Minn.
 Tibbe, William L., Milwaukee, Wis.
 Tice, David, Lockport, N. Y.
 Tiepke, Henry E., Providence, R. I.
 Tiernan, J. Harry, Staten Island, N. Y.
 Tiffany, Francis B., St. Paul, Minn.
 Tiffany, Herbert T., Baltimore, Md.
 Tift, Arthur P., Portland, Ore.
 Tift, Irving H., New York, N. Y.
 Tighe, Ambrose, St. Paul, Minn.
 Tilden, Augustus, Goldfield, Nev.
 Tillett, Charles W., Charlotte, N. C.
 Tillinghast, Frank W., Providence, R. I.
 Tillinghast, William R., Providence, R. I.
 Tillman, A. M., Nashville, Tenn.
 Tillman, H. C., Greenwood, S. C.
 Tillman, John P., Birmingham, Ala.
 Tillotson, Lee S., St. Albans, Vt.
 Tilson, John Q., New Haven, Conn.
 Timberlake, W. G., Jackson, Tenn.
 Timberman, William, Keokuk, Iowa.
 Timlin, William H., Milwaukee, Wis.
 Tinkham, George Holden, Boston, Mass.
 Tinley, Emmet, Council Bluffs, Iowa.
 Tippet, Richard B., Baltimore, Md.
 Tisdale, Archibald R., Boston, Mass.
 Titche, Bernard, New Orleans, La.
 Tittmann, Charles T., Washington, D. C.
 Titus, Frank, Kansas City, Mo.
 Titus, Harry L., San Diego, Cal.
 Tivnen, Bryan H., Mattoon, Ill.
 Tobias, Julius D., New York, N. Y.
 Tobin, John F., New Orleans, La.
 Todd, Ben E., Kansas City, Mo.
 Todd, Charles S., Texarkana, Texas.
 Todd, Elmer E., Seattle, Wash.
 Todd, G. Carroll, Washington, D. C.
 Todd, Hiram C., Saratoga Springs, N. Y.
 Todd, Kay, St. Paul, Minn.
 Todd, M. Hampton, Philadelphia, Pa.
 Todd, Oliver J., Beaumont, Texas.
 Tolman, Edgar B., Chicago, Ill.
 Tolman, Warren W., Spokane, Wash.
 Tomlin, John G., Walton, Ky.
 Tomlinson, Joseph B., Independence, Kans.
 Tomlinson, Roy E., New York, N. Y.
 Tompkins, Arthur S., Nyack, N. Y.
 Tompkins, F. G., Columbia, S. C.
 Tompkins, Hamilton B., New York, N. Y.
 Tompkins, Leslie J., New York, N. Y.
 Tompkins, Millard F., New York, N. Y.
 Tompkins, William V., Prescott, Ark.
 Toole, John Conway, New York, N. Y.
 Toolen, Clarence A., Chicago, Ill.
 Toomer, W. M., Jacksonville, Fla.
 Topliff, Samuel, Chicago, Ill.
 Torchiana, H. A. van C., San Francisco, Cal.
 Toro, Emilio del, San Juan, P. R.
 Torrey, James H., Scranton, Pa.
 Torrey, William J., Scranton, Pa.
 Torrison, Oscar M., Chicago, Ill.
 Towle, Henry S., Chicago, Ill.
 Towne, Charles A., New York, N. Y.
 Towner, H. M., Corning, Iowa.

- Townner, Rutherford H., New York, N. Y.
 Townes, E. E., Beaumont, Texas.
 Townes, E. W., Houston, Texas.
 Townes, John C., Austin, Tex.
 Townes, William A., Wilmington, N. O.
 Towns, Mirabeau L., New York, N. Y.
 Townsend, Charles E., San Francisco, Cal.
 Townsend, Gerard B., New York, N. Y.
 Townsend, Henry C., New York, N. Y.
 Townsend, Joseph B., Philadelphia, Pa.
 Townsend, Sylvester D., Jr., Wilmington, Del.
 Townsend, T. C., Charleston, W. Va.
 Townsend, W. H., Columbia, S. C.
 Townshend, Henry H., New Haven, Conn.
 Trabert, Charles L., Oakland, Cal.
 Trabue, Charles C., Nashville, Tenn.
 Trabue, Edmund F., Louisville, Ky.
 Tracey, James F., Albany, N. Y.
 Tracy, Henry M., Philadelphia, Pa.
 Tracy, John E., Marquette, Mich.
 Trammell, C. M., Bartow, Fla.
 Trapnell, Benjamin, New York, N. Y.
 Trapp, Alexander, Trenton, N. J.
 Travis, S. E., Hattiesburg, Miss.
 Traxler, Charles J., Minneapolis, Minn.
 Traynor, Frederick J., Devils Lake, N. D.
 Treacy, John J., Jersey City, N. J.
 Treadwell, Eugene, New York, N. Y.
 Treadwell, Stephen C., Oklahoma City, Okla.
 Trefethen, D. B., Seattle, Wash.
 Trenchard, Thomas W., Trenton, N. J.
 Trent, Edward K., Pittsburgh, Pa.
 Trevor, Walter M., Detroit, Mich.
 Trice, George, Coalgate, Okla.
 Trickett, William, Carlisle, Pa.
 Trieber, Jacob, Little Rock, Ark.
 Trimble, James M., Chattanooga, Tenn.
 Trimble, Thomas C., Lonoke, Ark.
 Tripp, Robert B., Yankton, S. D.
 Tripp, William M., Wells, Me.
 Trippe, James McC., Baltimore, Md.
 Trippet, Oscar A., Los Angeles, Cal.
 Triska, Joseph F., Chicago, Ill.
 Trott, Joseph M., Bath, Me.
 Troup, Charles, Danville, Ill.
 Trude, Daniel P., Chicago, Ill.
 Truesdell, John F., Denver, Colo.
 Truex, Charles O., New York, N. Y.
 Trumbull, Donald S., Chicago, Ill.
 Tryon, Charles J., Minneapolis, Minn.
 Tucker, Charles Cowles, Washington, D. C.
 Tucker, George F., Boston, Mass.
 Tucker, Henry St. George, Lexington, Va.
 Tucker, Wilmon, Seattle, Wash.
 Tuckman, Stanislaus N., New York, N. Y.
 Tuller, Royal P., Vineland, N. J.
 Tulla, Robert L., Baton Rouge, La.
 Tully, James M., New York, N. Y.
 Tully, William J., New York, N. Y.
 Tunstall, Robert B., Norfolk, Va.
 Turlington, St. James, Accomac, Va.
 Turnbull, N., Lawrenceville, Va.
 Turnbull, N. S., Jr., Victoria, Va.
 Turnbull, R., Lawrenceville, Va.
 Turner, Alonzo G., Tampa, Fla.
 Turner, Frank G., Baltimore, Md.
 Turner, George, Spokane, Wash.
 Turner, Harry R., Fargo, N. D.
 Turner, Jesse, Van Buren, Ark.
 Turner, Smith D., Parkersburg, W. Va.
 Turner, T. A., Jonesboro, Ark.
 Turner, Thomas C., Colorado Springs, Colo.
 Turner, W. R., Knoxville, Tenn.
 Turner, William J., Milwaukee, Wis.
 Turner, William Jay, Philadelphia, Pa.
 Turney, John E., Nashville, Tenn.
 Turney, W. W., El Paso, Texas.
 Turpin, Rees, Kansas City, Mo.
 Turrell, Edgar A., New York, N. Y.
 Tuska, Benjamin, New York, N. Y.
 Tustin, Ernest L., Philadelphia, Pa.
 Tutherly, William, Claremont, N. Y.
 Tuthill, Harry B., Michigan City, Ind.
 Tuttle, Arthur J., Detroit, Mich.
 Tuttle, Charles H., New York, N. Y.
 Tuttle, J. Birney, New Haven, Conn.
 Tuttle, Joseph P., Hartford, Conn.
 Tuttle, Samuel J., Lincoln, Nebr.
 Twitchell, LaFayette, Denver, Col.
 Twitchell, Ralph E., East Las Vegas, N. Mex.
 Tye, Benjamin W., Atlanta, Ga.
 Tye, John L., Atlanta, Ga.
 Tyler, Charles H., Boston, Mass.
 Tyler, Frederick S., Washington, D. C.
 Tyler, Marion L., Boston, Mass.
 Tyler, Rollin U., Tylerville, Conn.
 Tyler, S. Heth, Norfolk, Va.
 Tyne, Thomas J., Nashville, Tenn.
 Tyrrell, John F., Chicago, Ill.
 Tyson, A. Morris, Baltimore, Md.
 Tyson, Charles M., Darien, Ga.
 Tyson, John R., Montgomery, Ala.
 Ueland, A., Minneapolis, Minn.
 Ulman, William Alban, New York, N. Y.
 Ulrich, John O., Tamaqua, Pa.
 Umbel, Robert E., Uniontown, Pa.
 Umstead, Charles H., Port Jervis, N. Y.
 Underwood, E. Marvin, Washington, D. C.
 Underwood, George A., Ames, Iowa.
 Underwood, George W., Chicago, Ill.
 Underwood, W. Orison, Boston, Mass.
 Untermyer, Alvin, New York, N. Y.

- Untermyer, Samuel, New York, N. Y.
 Upham, Horace A. J., Milwaukee, Wis.
 Upshur, George Martin, Snow Hill, Md.
 Upton, Ernest B., Trinidad, Colo.
 Urion, Alfred R., Chicago, Ill.
 Urner, Hammond, Frederick, Md.
 Usera, José Hernandez, Humacao, P. R.
 Vaaler, Rolfeff, Milaca, Minn.
 Vahey, James H., Boston, Mass.
 Valle, Joel F., Denver, Col.
 Vaill, Edward B., Pittsburgh, Pa.
 Vale, Ruby R., Philadelphia, Pa.
 Valentine, A. Jay, Parsons, W. Va.
 Van Allen, John W., Buffalo, N. Y.
 Van Allen, W. B., Carthage, N. Y.
 Van Alstine, C. H., Milwaukee, Wis.
 Vanartsdalen, Isaac J., Doylestown, Pa.
 Van Benschoten, William H., New York, N. Y.
 Van Buskirk, De Witt, Bayonne, N. J.
 Vance, Victor, Gadsden, Ala.
 Vance, William R., Minneapolis, Minn.
 Van Clagett, T., Upper Marlboro, Md.
 Van Cleef, James H., New Brunswick, N. J.
 VanCleaf, Mynderse, Ithaca, N. Y.
 Van Cott, Ray, Salt Lake City, Utah.
 Van Cott, Waldemar, Salt Lake City, Utah.
 VanDeman, John N., Dayton, Ohio.
 Vanderpool, Wynant D., Newark, N. J.
 Vandervort, James W., Parkersburg, W. Va.
 Van Devanter, Willis (Washington, D. C.), Cheyenne, Wyo.
 Vandeventer, Braden, Norfolk, Va.
 Van Deventer, Horace, Knoxville, Tenn.
 Vandiver, Almuth Cunningham, New York, N. Y.
 Van Dusen, George R., Philadelphia, Pa.
 Van Dusen, Lewis H., Philadelphia, Pa.
 VanDuyne, O. M., Caldwell, Idaho.
 Van Dyke, Douglass, Milwaukee, Wis.
 Van Dyke, George D., Milwaukee, Wis.
 Van Dyke, Henry S., Los Angeles, Cal.
 Van Dyke, William D., Milwaukee, Wis.
 Van Eittem, John G., Kingston, N. Y.
 Van Everen, Horace, Boston, Mass.
 Van Fleet, Carey, Elko, Nev.
 Van Fleet, William C., San Francisco, Cal.
 Van Iderstine, Robert, New York, N. Y.
 Van Kirk, Charles C., Greenwich, N. Y.
 Van Law, C. H., Marshalltown, Iowa.
 Vann, Irving Dillaye, Syracuse, N. Y.
 Vann, Irving G., Syracuse, N. Y.
 Van Orsdel, Josiah A., Washington, D. C.
 Vans Agnew, P. A., Jacksonville, Fla.
 Van Santvoord, Seymour, Troy, N. Y.
 Van Schaick, Eugene, New York, N. Y.
 Van Sinderen, Howard, New York, N. Y.
 Van Slyck, Cyrus M., Providence, R. I.
 Van Slyck, George W., New York, N. Y.
 Van Syckel, Bennet, Trenton, N. J.
 Van Valkenburgh, Arba S., Kansas City, Mo.
 Van Winkle, Kingsland, Asheville, N. C.
 Van Winkle, W. W., Parkersburg, W. Va.
 Van Zante, John, Portland, Ore.
 Varian, Bertram S., Weiser, Idaho.
 Varian, Charles S., Salt Lake City, Utah.
 Varner, T. T., Poteau, Okla.
 Varser, L. R., Lumberton, N. C.
 Vates, William B., Pueblo, Col.
 Vaughan, Athelstan, Long Island City, N. Y.
 Vaughan, Ernest H., Worcester, Mass.
 Vaughan, George, Little Rock, Ark.
 Vaughan, Henry G., Boston, Mass.
 Vaughan, William W., Boston, Mass.
 Vaughn, Robert, Nashville, Tenn.
 Vause, John J., New York, N. Y.
 Veasey, James A., Tulsa, Okla.
 Veazie, A. L., Portland, Ore.
 Veeder, Henry, Chicago, Ill.
 Veeder, Van Vechten, Brooklyn, N. Y.
 Velde, Franklin L., Pekin, Ill.
 Vernon, A. H., Little Falls, Minn.
 Vernon, Irving E., Portland, Me.
 Verrill, Harry M., Portland, Me.
 Vertrees, John J., Nashville, Tenn.
 Vicars, O. M., Wise, Va.
 Vidal, Henry C., Denver, Colo.
 Viele, Dorr, New York, N. Y.
 Vierling, Frederick, St. Louis, Mo.
 Vieth, Henry A., Washington, D. C.
 Vieu, Henry A., New York, N. Y.
 Vigg, Sander J., Alva, Okla.
 Vineyard, J. J., Kansas City, Mo.
 Vinson, William A., Houston, Tex.
 Vinsonhaler, Duncan M., Omaha, Nebr.
 Virgin, Harry Rush, Portland, Me.
 Vischer, William L., Albany, N. Y.
 Vitt, Marcel A., Philadelphia, Pa.
 Vodrey, William H., East Liverpool, Ohio.
 Vogel, Edwin C., New York, N. Y.
 Voigt, J. Read, Chattanooga, Tenn.
 Voigt, John F., Chicago, Ill.
 Vollrath, Edward, Bucyrus, Ohio.
 von Moehnsicker, Robert, Philadelphia, Pa.
 Von Schrader, Otto V., St. Louis, Mo.
 Voorhees, Harvey C., Boston, Mass.
 Voorhees, John H., Sioux Falls, S. D.
 Voorhees, Reese H., Spokane, Wash.
 Vorhaus, Louis J., New York, N. Y.
 Vorys, Arthur I., Columbus, Ohio.

- Vose, Frederic Perry, Chicago, Ill.
 Voyles, David W., St. Louis, Mo.
 Vroman, Charles E., Chicago, Ill.
 Vunk, John R., Patchogue, Long Island, N. Y.
 Wachner, C. S., Cleveland, Ohio.
 Wack, Henry Wellington, New York, N. Y.
 Waddill, O. J., Madisonville, Ky.
 Wade, M. J., Iowa City, Iowa.
 Wade, Peyton L., Atlanta, Ga.
 Wadhams, Frederick E., Albany, N. Y.
 Wadley, William H., Denver, Colo.
 Waggener, Balle P., Atchison, Kan.
 Waggener, William P., Atchison, Kan.
 Waggoner, Alvin, Philip, S. D.
 Wagner, E. E., Sioux Falls, S. D.
 Wagner, Franklin Allan, New York, N. Y.
 Wagner, Hugh K., St. Louis, Mo.
 Wagner, J. Harry, Philadelphia, Pa.
 Wagoner, Fred A., Chandler, Okla.
 Waguespack, W. J., New Orleans, La.
 Wailes, F. Leonard, Salisbury, Md.
 Wainwright, J. Mayhew, New York, N. Y.
 Wait, Horatio Loomis, Chicago, Ill.
 Wait, William Cushing, Medford, Mass.
 Waite, Edward F., Minneapolis, Minn.
 Waite, Morison R., Cincinnati, Ohio.
 Wakefield, John Lathrop, Boston, Mass.
 Wakefield, William J. C., Spokane, Wash.
 Wakeley, Arthur C., Omaha, Nebr.
 Waldo, Benjamin T., New Orleans, La.
 Waldo, George E., Los Angeles, Cal.
 Waldo, H. R., Boise, Idaho.
 Waldo, John F. C., New Orleans, La.
 Walker, Charles A. J., Cincinnati, Ohio.
 Walker, Edwin Robert, Trenton, N. J.
 Walker, George B., Philadelphia, Pa.
 Walker, George R., New York, N. Y.
 Walker, Henry B., Evansville, Ind.
 Walker, Henry G., Iowa City, Iowa.
 Walker, Legaré, Summerville, S. C.
 Walker, Mortimer E., Racine, Wis.
 Walker, Paul E., Topeka, Kan.
 Walker, Philip, Washington, D. C.
 Walker, Platt D., Raleigh, N. C.
 Walker, Reuben E., Concord, N. H.
 Walker, Richard W., Huntsville, Ala.
 Walker, Stephen L., Columbus, Kans.
 Walker, Stuart W., Martinsburg, W. Va.
 Walker, W. M., Keosauqua, Iowa.
 Walker, W. R., Athens, Ala.
 Walker, William M., Birmingham, Ala.
 Walker, Winfield S., Philadelphia, Pa.
 Wall, Albert C., Jersey City, N. J.
 Wall, George W., Du Quoin, Ill.
 Wall, Isaac D., Baton Rouge, La.
 Wallace, A. W., Fredericksburg, Va.
 Wallace, George Selden, Huntington, W. Va.
 Wallace, W. B., Visalia, Cal.
 Wallace, William, Jr., Washington, D. C.
 Wallace, William S., Philadelphia, Pa.
 Waller, Claude, Nashville, Tenn.
 Waller, Levi E., Wilkes-Barre, Pa.
 Wallerstein, David, Philadelphia, Pa.
 Wallin, William J., Yonkers, N. Y.
 Walling, Emory A., Erie, Pa.
 Walling, Eugene A., Detroit, Mich.
 Wallingford, John D., Des Moines, Iowa.
 Walsh, Arthur R., New York, N. Y.
 Walsh, Edward P., St. Louis, Mo.
 Walsh, Frank P., Kansas City, Mo.
 Walsh, James A., Helena, Mont.
 Walsh, James F., Cleveland, Ohio.
 Walsh, John, Washburn, Wis.
 Walsh, John J., Norwalk, Conn.
 Walsh, Mark A., Clinton, Iowa.
 Walsh, Martin, Chicago, Ill.
 Walsh, Robert Jay, Greenwich, Conn.
 Walsh, Thomas J., Helena, Mont. (Washington, D. C.)
 Walsh, William A., Yonkers, N. Y.
 Walsh, William E., Cumberland, Md.
 Walshe, George C., New Orleans, La.
 Walter, D. S., Waynesburg, Pa.
 Walter, Luther M., Chicago, Ill.
 Walter, Moses R., Baltimore, Md.
 Walters, Edward A., Shoshone, Idaho.
 Walters, Henry C., Detroit, Mich.
 Walthall, James D., San Antonio, Texas.
 Walther, Lambert E., St. Louis, Mo.
 Walton, Charles W., Kingston, N. Y.
 Walton, Henry F., Philadelphia, Pa.
 Wambaugh, Eugene, Cambridge, Mass.
 Wammack, Ralph, Bloomfield, Mo.
 Want, Samuel, Baltimore, Md.
 Warburton, William T., Elkton, Md.
 Ward, D. L., Newbern, N. C.
 Ward, H. Judd, Troy, N. Y.
 Ward, Hamilton, Buffalo, N. Y.
 Ward, Henry Galbraith, New York, N. Y.
 Ward, Henry M., New York, N. Y.
 Ward, Herbert H., Wilmington, Del.
 Ward, John B., Russellville, Ark.
 Ward, M. L., San Diego, Cal.
 Wardner, G. Philip, Boston, Mass.
 Wardwell, Allen, New York, N. Y.
 Ware, Charles Eliot, Fitchburg, Mass.
 Ware, John D., Omaha, Neb.
 Ware, John Roland, Minneapolis, Minn.
 Warfel, Benjamin F., Hollidaysburg, Pa.
 Warfield, Edwin, Baltimore, Md.
 Warfield, F. Howard, Baltimore, Md.
 Warfield, F. P., New York, N. Y.
 Warner, C. Hopewell, Baltimore, Md.

- Warner, Charles E., Fort Smith, Ark.
 Warner, David A., Grand Rapids, Mich.
 Warner, Donald T., Salisbury, Conn.
 Warner, James Harold, New York, N. Y.
 Warner, Joseph B., Boston, Mass.
 Warner, Mahlon M., Salt Lake City, Utah.
 Warner, Milton B., Pittsfield, Mass.
 Warner, Stanley Clark, Denver, Col.
 Warren, Charles, Washington, D. C.
 Warren, Edward H., Cambridge, Mass.
 Warren, Everett, Scranton, Pa.
 Warren, George H., Manchester, N. H.
 Warren, Oscar LeRoy, White Plains, N. Y.
 Warren, Thomas D., Newbern, N. C.
 Warrington, John W., Cincinnati, Ohio.
 Washburn, Albert Henry, New York, N. Y.
 Washburn, Jed L., Duluth, Minn.
 Washburn, William D., Chicago, Ill.
 Wasserman, Frank, New York, N. Y.
 Waterman, Charles W., Denver, Col.
 Waterman, John A., Gorham, Me.
 Waterman, Lewis Anthony, Providence, R. I.
 Waterman, Robert E., Ogdensburg, N. Y.
 Waterman, Robert S., Ogdensburg, N. Y.
 Waters, Asa W. (Cambridge, Mass.), Philadelphia, Pa.
 Waters, Bertram G., Boston, Mass.
 Waters, Henry J., Princess Anne, Md.
 Waters, J. S. T., Baltimore, Md.
 Waters, Joseph G., Topeka, Kans.
 Waters, L. H., Kansas City, Mo.
 Waters, Louis L., Syracuse, N. Y.
 Watkins, C. W., Huntington, Ind.
 Watkins, Edgar, (Washington, D. C.) Atlanta, Ga.
 Watkins, H. V., Jackson, Miss.
 Watkins, Henry H., Anderson, S. C.
 Watres, L. A., Scranton, Pa.
 Watrous, George D., New Haven, Conn.
 Watson, Archibald Robinson, New York, N. Y.
 Watson, David Thompson, Pittsburgh, Pa.
 Watson, Edward M., Honolulu, Hawaii.
 Watson, James A., Washington, D. C.
 Watson, James D., Tiffin, Ohio.
 Watson, John H., Montpelier, Vt.
 Watson, Robert, Washington, D. C.
 Watson, W. W., Scranton, Pa.
 Wattenscheidt, Christopher R., Baltimore, Md.
 Watterson, A. V. D., Pittsburgh, Pa.
 Watts, Charles G., Wagoner, Okla.
 Watts, Clyde M., Cheyenne, Wyo.
 Watts, Cornelius C., Charleston, W. Va.
 Watts, Legh R., Portsmouth, Va.
 Watts, Millard F., St. Louis, Mo.
 Watts, Philip B., Baltimore, Md.
 Watts, R. C., Cheraw, S. C.
 Way, W. F., Moultrie, Ga.
 Way, William A., Pittsburgh, Pa.
 Wayne, James A., Wallace, Idaho.
 Wead, Leslie C., Boston, Mass.
 Weadock, Bernard F., Detroit, Mich.
 Weadock, George W., Saginaw, Mich.
 Weadock, Jerome, Saginaw, Mich.
 Weadock, John C., New York, N. Y.
 Weadock, Lewis J., Bay City, Mich.
 Weadock, Thomas A. E., Detroit, Mich.
 Weadock, Vincent, Saginaw, Mich.
 Weakley, Samuel D., Birmingham, Ala.
 Weatherly, James, Birmingham, Ala.
 Weaver, James B., Jr., Des Moines, Iowa.
 Weaver, John, Philadelphia, Pa.
 Weaver, Silas M., Iowa Falls, Iowa.
 Webb, Edwin Y., Shelby, N. C.
 Webb, Howard C., New Haven, Conn.
 Webb, J. R., Waco, Texas.
 Webb, James H., New Haven, Conn.
 Webb, Richard, Portland, Me.
 Webb, U. S., San Francisco, Cal.
 Webb, Willoughby Lane, New York, N. Y.
 Webber, Marshall B., Winona, Minn.
 Webber, Marvella C., Rutland, Vt.
 Weber, Harry P., Chicago, Ill.
 Webster, Edgar, Oxford, Miss.
 Webster, John L., Omaha, Neb.
 Webster, Lionel R., Portland, Ore.
 Wechsler, Martin, New York, N. Y.
 Wechsler, Sigmund, New York, N. Y.
 Weed, Alonzo R., Boston, Mass.
 Weeks, Edward T., New Iberia, La.
 Weeks, James J., Bottineau, N. D.
 Wehr, Albert H., Baltimore, Md.
 Wehrle, E. F., Los Angeles, Cal.
 Weidman, Grant, Lebanon, Pa.
 Weil, A. Leo, Pittsburgh, Pa.
 Weil, Jonas, Minneapolis, Minn.
 Weil, Leon, Montgomery, Ala.
 Weill, A. S., Philadelphia, Pa.
 Weimer, Albert B., Philadelphia, Pa.
 Weinberg, Leo, Frederick, Md.
 Weinfeld, Charles, Chicago, Ill.
 Weis, Frederick S., New Orleans, La.
 Weissenbach, Joseph, Chicago, Ill.
 Welch, Albert G., Chicago, Ill.
 Welch, Ralph P., Holdenville, Okla.
 Welch, Thomas Cary, Manila, P. I.
 Welch, W. S., Bessemer, Ala.
 Welch, W. S., Laurel, Miss.
 Welch, Walter, Clearfield, Pa.
 Welch, William M., Athol, Mass.
 Weldon, Richard E., New York, N. Y.
 Wellborn, Olin, Beverly Hills, Cal.
 Weller, Royal H., New York, N. Y.

- Welles, Charles H., Scranton, Pa.
 Wellford, Beverly R., Richmond, Va.
 Wellman, Arthur H., Boston, Mass.
 Wells, A. Coulter, Washington, D. C.
 Wells, Arthur R., Omaha, Nebr.
 Wells, Ben H., Jackson, Miss.
 Wells, C. A. M. (Washington, D. C.),
 Hyattsville, Md.
 Wells, Ernest H., New York, N. Y.
 Wells, Frank, Oklahoma City, Okla.
 Wells, George F., Grand Forks, N. D.
 Wells, Hosea W., Chicago, Ill.
 Wells, Ralph Olney, Hartford, Conn.
 Wells, Robert W. (Washington, D. C.),
 Hyattsville, Md.
 Wells, Ross, St. Marys, W. Va.
 Wells, T. Tileston, New York, N. Y.
 Wells, W. Calvin, Jr., Jackson, Miss.
 Wells, Wellington, Boston, Mass.
 Wels, Isidor, New York, N. Y.
 Welsh, J. D., Galesburg, Ill.
 Welsh, William S., Chicago, Ill.
 Wendt, John S., Pittsburgh, Pa.
 Wensley, Robert L., New York, N. Y.
 Wentworth, Daniel S., Chicago, Ill.
 Werner, Charles H., New York, N. Y.
 Werner, Percy, St. Louis, Mo.
 Werner, William E., Albany, N. Y.
 Wertime, Walter H., Cohoes, N. Y.
 Wesley, Charles Sumner, Philadelphia, Pa.
 Wesselman, Henry B., New York, N. Y.
 Wesselmann, Frederick E., Cincinnati,
 Ohio.
 West, Frank C., Denver, Colo.
 West, Joel W., San Diego, Cal.
 West, Judson S., Topeka, Kan.
 West, Preston C., Washington, D. C.
 West, Raymond B., Basin, Wyo.
 West, Roy O., Chicago, Ill.
 West, Samuel H., St. Louis, Mo.
 West, Thomas Franklin, Tallahassee, Fla.
 Westcott, John W., Camden, N. J.
 Westcott, N. B., Mappsburg, Va.
 Westerfield, Ellery H., Omaha, Nebr.
 Westermayr, Arthur J., New York, N. Y.
 Weston, Francis H., Columbia, S. C.
 Weston, Robert Dickson, Boston, Mass.
 Weston, Thomas, Jr., Boston, Mass.
 Westwood, Herman J., Fredonia, N. Y.
 Wetherill, John Lawrence, Philadelphia,
 Pa.
 Wetmore, Edmund, New York, N. Y.
 Wetten, Emil C., Chicago, Ill.
 Wetzol, J. W., Carlisle, Pa.
 Weyburn, Lyon, Boston, Mass.
 Weymouth, John, Hampton, Va.
 Whalen, John, New York, N. Y.
 Whalen, John F., Pottsville, Pa.
 Whalen, Robert E., Albany, N. Y.
 Whaley, R. S., Charleston, S. C.
 Wharton, William F., Boston, Mass.
 Wheat, Alfred A., New York, N. Y.
 Wheatley, H. Winship, Washington, D. C.
 Wheatley, William A., Baltimore, Md.
 Wheelan, William E., Grand Rapids, Wis.
 Wheeler, Charles B., Buffalo, N. Y.
 Wheeler, Charles K., Paducah, Ky.
 Wheeler, Charles Stetson, San Francisco,
 Cal.
 Wheeler, E. D., Pittsburg, Kans.
 Wheeler, Everett P., New York, N. Y.
 Wheeler, Frederick F., Waupaca, Wis.
 Wheeler, George C., Portland, Me.
 Wheeler, George W., Bridgeport, Conn.
 Wheeler, Henry, Boston, Mass.
 Wheeler, James E., New Haven, Conn.
 Wheeler, Seth S., Lima, Ohio.
 Wheelock, William W., Chicago, Ill.
 Wheelwright, John O. P., Minneapolis,
 Minn.
 Whelan, Charles E., Madison, Wis.
 Whelan, Ralph, Minneapolis, Minn.
 Wheelan, Joseph, St. Louis, Mo.
 Whelittle, John B. A., Baltimore, Md.
 Whipple, Clifford, Providence, R. I.
 Whipple, Durand, Little Rock, Ark.
 Whipple, Sherman L., Boston, Mass.
 Whitaker, Harry A., Bel Air, Md.
 Whitchee, Lewis E., Highmore, S. D.
 White, Burrell G., San Francisco, Cal.
 White, Carleton H., Buffalo, N. Y.
 White, David M., Richmond, Va.
 White, E. C., Pocatello, Idaho.
 White, Edward J., Kansas City, Mo.
 White, Frank Owen, Boston, Mass.
 White, Frank S., Birmingham, Ala.
 White, H. H., Alexandria, La.
 White, Harry, Indiana, Pa.
 White, J. DuPratt, New York, N. Y.
 White, John G., Cleveland, Ohio.
 White, John S., Naples, Me.
 White, Kemble, Fairmont, W. Va.
 White, Moses Perkins, Boston, Mass.
 White, Robert, Wheeling, W. Va.
 White, S. Harrison, Denver, Col.
 White, Thomas P., Los Angeles, Cal.
 White, Thomas Raeburn, Philadelphia, Pa.
 White, Thomas W., St. Louis, Mo.
 White, Walter A., Gulfport, Miss.
 White, William G., St. Paul, Minn.
 White, William H., Richmond, Va.
 White, William Henry, Jr., Norfolk, Va.
 White, William K., San Francisco, Cal.
 White, William Wallace, New York, N. Y.
 Whitecotton, J. W. N., Provo, Utah.
 Whitehead, Harvey W., Williamsport, Pa.

- Whitehead, John M., Janesville, Wis.
 Whitehouse, Samuel S., New York, N. Y.
 Whitehouse, William P., Augusta, Me.
 Whitelock, George, Baltimore, Md.
 Whitteide, Alexander, Boston, Mass.
 Whitfield, William R., Albany, N. Y.
 Whitford, Daniel, New York, N. Y.
 Whiting, Borden D., Newark, N. J.
 Whiting, Charles S., Pierre, S. D.
 Whiting, F. Brooke, Cumberland, Md.
 Whiting, Randolph V., San Francisco, Cal.
 Whitley, George F., Smithfield, Va.
 Whitlock, Henry C., Philadelphia, Pa.
 Whitlock, Victor E., New York, N. Y.
 Whitman, Charles S., Albany, N. Y.
 Whitman, Henry Hyde, New York, N. Y.
 Whitman, Russell, Chicago, Ill.
 Whitmer, George F., Clarion, Pa.
 Whitmore, Chester W., Ottumwa, Iowa.
 Whitner, B. F., Rock Hill, S. C.
 Whitney, Francis N., New York, N. Y.
 Whitney, M. B., Westfield, Mass.
 Whitney, Max H., Chicago, Ill.
 Whitted, Elmer E., Denver, Col.
 Whittlesey, Edward L., Erie, Pa.
 Whittlemore, Clark McK., Elizabeth, N. J.
 Whittlemore, James, Detroit, Mich.
 Whittlemore, Laurence J., Detroit, Mich.
 Whittier, Clarke B., Pasadena, Cal.
 Whittington, William Madison, Greenwood, Miss.
 Whittle, Stafford G., Martinsville, Va.
 Whittlesey, George P., Washington, D. C.
 Whittlesey, John J., Pittsfield, Mass.
 Whybark, Moses, Cape Girardeau, Mo.
 Wickens, Hugh, Greensburg, Ind.
 Wicker, Cyrus F., Washington, D. C.
 Wickersham, Cornelius W., New York, N. Y.
 Wickersham, George W., New York, N. Y.
 Wickwire, Arthur M., New York, N. Y.
 Wieder, Herman A., Houghton, Mich.
 Wiel, Samuel C., San Francisco, Cal.
 Wiener, Adam, New York, N. Y.
 Wier, Frederick N., Lowell, Mass.
 Wierum, Otto C., Jr., New York, N. Y.
 Wiggin, F. H., New Haven, Conn.
 Wiggin, Joseph, Boston, Mass.
 Wigglesworth, George, Boston, Mass.
 Wight, Delano, Boston, Mass.
 Wight, Lee B., Salt Lake City, Utah.
 Wigman, J. H. M., Green Bay, Wis.
 Wigmore, John H., Chicago, Ill.
 Wilbur, Walter B., Charleston, S. C.
 Wilby, Charles B., Cincinnati, Ohio.
 Wilby, Mitchell, Cincinnati, Ohio.
 Wilcox, Analey, Buffalo, N. Y.
 Wilcox, Elmer A., Iowa City, Iowa.
 Wilcox, Nelson J., Minneapolis, Minn.
 Wilcox, Roy Porter, Eau Claire, Wis.
 Wild, Robert, Milwaukee, Wis.
 Wilder, Arthur A., Honolulu, Hawaii.
 Wilder, William Royal, New York, N. Y.
 Wiler, Alfred Day, Philadelphia, Pa.
 Wiles, Thomas L., Boston, Mass.
 Wiley, Jesse C., Del Norte, Colo.
 Wiley, Robert E., Little Rock, Ark.
 Wilsey, Lebbens R. (Mexico City, Mex.), St. Louis, Mo.
 Wilsey, Xenophen P., St. Louis, Mo.
 Wilgus, Horace L., Ann Arbor, Mich.
 Wilkerson, James H., Chicago, Ill.
 Wilkie, John L., New York, N. Y.
 Wilkin, Charles A., Canon City, Col.
 Wilkin, D. F., Nashville, Tenn.
 Wilkin, Robert J., Brooklyn, N. Y.
 Wilkin, Robert N., New Philadelphia, Ohio.
 Wilkins, Charles T., Detroit, Mich.
 Wilkinson, H. A., Dawson, Ga.
 Wilkinson, H. B., Phoenix, Ariz.
 Wilkinson, John B., Logan, W. Va.
 Wilkinson, T. H., Waynesburg, Pa.
 Will, Arthur P., Sacramento, Cal.
 Will, G. A., Minneapolis, Minn.
 Willard, Walter, Philadelphia, Pa.
 Willcox, F. L., Florence, S. C.
 Willcox, Orlando B., New York, N. Y.
 Willcox, P. Alston, Florence, S. C.
 Willcox, Thomas H., Norfolk, Va.
 Willett, C. J., Pasadena, Cal.
 Willey, Israel E., Salt Lake City, Utah.
 Williams, Al. F., Columbus, Kans.
 Williams, Arthur B., Battle Creek, Mich.
 Williams, C. B., St. Louis, Mo.
 Williams, Charles J., Minneapolis, Minn.
 Williams, David P., Indianapolis, Ind.
 Williams, David W., Boston, Mass.
 Williams, E. P., Galesburg, Ill.
 Williams, E. Randolph, Richmond, Va.
 Williams, Ellie D., Philadelphia, Pa.
 Williams, F. A., Galveston, Tex.
 Williams, Ferdinand, Cumberland, Md.
 Williams, Frank B., New York, N. Y.
 Williams, Frank L., Clay Center, Kans.
 Williams, Fred H., Boston, Mass.
 Williams, Frederic M., Waterbury, Conn.
 Williams, George Francis, Washington, D. C.
 Williams, George L., Grand Rapids, Wis.
 Williams, George Weems, Baltimore, Md.
 Williams, Harold P., Boston, Mass.
 Williams, Henry Davison, New York, N. Y.
 Williams, Henry T., Philadelphia, Pa.
 Williams, Henry W., Baltimore, Md.

- Williams, Ira Jewell, Philadelphia, Pa.
 Williams, Irvin C., Harrisburg, Pa.
 Williams, Isaac N., New York, N. Y.
 Williams, J. Henry, Philadelphia, Pa.
 Williams, James A., Spokane, Wash.
 Williams, James C., Kansas City, Mo.
 Williams, James D., New York, N. Y.
 Williams, Joe V., Chattanooga, Tenn.
 Williams, John G., Duluth, Minn.
 Williams, John G., Indianapolis, Ind.
 Williams, L. Judson, Charleston, W. Va.
 Williams, Nathan B., Washington, D. C.
 Williams, Orren T., Milwaukee, Wis.
 Williams, Otto T., Elko, Nev.
 Williams, P. L., Salt Lake City, Utah.
 Williams, R. P., St. Louis, Mo.
 Williams, Raymond S., Baltimore, Md.
 Williams, Robert L., Durant, Okla.
 Williams, Robert R., Asheville, N. C.
 Williams, Samuel C., Johnson City, Tenn.
 Williams, Smyser, York, Pa.
 Williams, Stevenson A., Bel Air, Md.
 Williams, Thomas S., Philadelphia, Pa.
 Williams, Tyrrell, St. Louis, Mo.
 Williams, W. M., Boonville, Mo.
 Williams, Wendell, Milford, Mass.
 Williams, William H., Derby, Conn.
 Williams, William Leigh, Norfolk, Va.
 Williamson, Charles J., Washington, D. C.
 Williamson, D. A., Covington, Va.
 Williamson, George N., Aberdeen, S. D.
 Williamson, James D., Waco, Texas.
 Williamson, James F., Minneapolis, Minn.
 Williamson, John I., Kansas City, Mo.
 Williamson, Pliny W., New York, N. Y.
 Williamson, Roland, Shreveport, La.
 Williamson, W. B., Lake Charles, La.
 Williamson, W. Preston, Washington, D. C.
 Willingham, Wright, Rome, Ga.
 Willis, George R., Baltimore, Md.
 Willis, John W., St. Paul, Minn.
 Willis, M. H., New Martinsville, W. Va.
 Willis, Simeon S., Ashland, Ky.
 Williston, Samuel (Cambridge, Mass.). Belmont, Mass.
 Willmontton, George E., Manchester, Mass.
 Wills, T. J., Raleigh, Miss.
 Wilmer, L. Allison, La Plata, Md.
 Wilson, Albert L., Kansas City, Mo.
 Wilson, Alfred, Providence, R. I.
 Wilson, Andrew, Washington, D. C.
 Wilson, Butler R., Boston, Mass.
 Wilson, C. Franklin, Morristown, N. J.
 Wilson, C. H., San Francisco, Cal.
 Wilson, C. J., Washington, Iowa.
 Wilson, Cephas L., Marianna, Fla.
 Wilson, Charles A., Providence, R. I.
 Wilson, Charles F., Washington, D. C.
 Wilson, Charles M., Grand Rapids, Mich.
 Wilson, Clarence R., Washington, D. C.
 Wilson, Coryate S., Duluth, Minn.
 Wilson, E. B., New York, N. Y.
 Wilson, Edmund, Red Bank, N. J.
 Wilson, Emmett, Pensacola, Fla.
 Wilson, Eugene S., St. Louis, Mo.
 Wilson, Francis C., Santa Fé, N. M.
 Wilson, George L., Boston, Mass.
 Wilson, George T., Sweetwater, Tex.
 Wilson, Henry H., Lincoln, Neb.
 Wilson, Herbert R., Denton, Tex.
 Wilson, J. Sharp, Beaver, Pa.
 Wilson, John, Bangor, Me.
 Wilson, Joseph R., Philadelphia, Pa.
 Wilson, Julian C., Memphis, Tenn.
 Wilson, Mahlon E., Salt Lake City, Utah.
 Wilson, Mark T., Kansas City, Mo.
 Wilson, Mountford S., San Francisco, Cal.
 Wilson, Nathaniel, Washington, D. C.
 Wilson, R. B., Russellville, Ark.
 Wilson, Robert H., Brooklyn, N. Y.
 Wilson, Robert R., Clarksburg, W. Va.
 Wilson, S. F., Nashville, Tenn.
 Wilson, Samuel M., Lexington, Ky.
 Wilson, Thomas A., Jackson, Mich.
 Wilson, Thomas F., Tucson, Ariz.
 Wilson, Virgil C., Portland, Me.
 Wilson, W. F., Oklahoma City, Okla.
 Wilson, William R., Elizabeth, N. J.
 Wilson, William T., Jacksonville, Ill.
 Wilson, Woodrow, Princeton, N. J.
 (Washington, D. C.)
 Wimbish, William A., Atlanta, Ga.
 Winchester, T. P., Ft. Smith, Ark.
 Winders, C. H., Seattle, Wash.
 Windes, Thomas G., Chicago, Ill.
 Windle, William S., West Chester, Pa.
 Wineman, Jacob B., Grand Forks, N. D.
 Winfree, A. B., Portland, Ore.
 Winfree, W. H., Spokane, Wash.
 Wing, Arthur K., New York, N. Y.
 Wing, Francis J., Cleveland, Ohio.
 Wing, George Curtis, Auburn, Me.
 Wing, Henry T., New York, N. Y.
 Wingate, William W., New York, N. Y.
 Wingfield, Gustavus A., Norfolk, Va.
 Wingo, Otis T., De Queen, Ark.
 Wingood, Augustus, Tampa, Fla.
 Winkler, Frederick C., Milwaukee, Wis.
 Winkler, Max H., New York, N. Y.
 Winship, Blanton, Fort Leavenworth, Kan.
 Winalow, John B., Madison, Wis.
 Winslow, William Beverly, New York, N. Y.

- Winstead, George W., St. Louis, Mo.
 Winston, Frederick J., Los Angeles, Cal.
 Winston, Garrard B., Chicago, Ill.
 Winston, James H., Chicago, Ill.
 Winston, R. W., Raleigh, N. C.
 Winterer, Herman, Valley City, N. D.
 Wintersteen, Abram H., Philadelphia, Pa.
 Winthrop, Bronson, New York, N. Y.
 Winthrop, Francis B., Tallahassee, Fla.
 Wisdom, Frank, Bedford, Iowa.
 Wise, Edmond E., New York, N. Y.
 Wise, Henry A., New York, N. Y.
 Wise, Henry M., New York, N. Y.
 Wise, James H., Twin Falls, Idaho.
 Wise, Jesse H., Pittsburgh, Pa.
 Winhart, William W., Pittsburgh, Pa.
 Wislizenus, Frederick A., St. Louis, Mo.
 Wisner, Carl V., Chicago, Ill.
 Wisler, E. A., Carroll, Iowa.
 Withers, Robert G., Reno, Nev.
 Witherspoon, A. W., Spokane, Wash.
 Withington, David L., Honolulu, Hawaii.
 Withrow, James E., St. Louis, Mo.
 Witmer, Charles B., Sunbury, Pa.
 Witte, Herman J., New York, N. Y.
 Wittkowsky, L. A., Camden, S. C.
 Witty, W. H., Pocatello, Idaho.
 Woerner, William F., St. Louis, Mo.
 Wolcott, Frank T., New York, N. Y.
 Wolcott, Josiah O., Wilmington, Del.
 Wolcott, Wilfred B., Camden, N. J.
 Wolf, Adolph G., San Juan, P. R.
 Wolf, Conrad, Kokomo, Ind.
 Wolf, Gustave A., Grand Rapids, Mich.
 Wolf, Henry Milton, Chicago, Ill.
 Wolf, Morris, Philadelphia, Pa.
 Wolf, Ralph, New York, N. Y.
 Wolf, Samuel, New Orleans, La.
 Wolfe, Isaac, New Haven, Conn.
 Wolfe, James H., Salt Lake City, Utah.
 Wolfe, William Henry, Parkersburg, W. Va.
 Wolfenbarger, A. G., Lincoln, Nebr.
 Wolff, Mervyn, New York, N. Y.
 Wolff, Oscar M., Chicago, Ill.
 Wolff, Solomon, New Orleans, La.
 Wollman, Henry, New York, N. Y.
 Wolters, Jacob F., Houston, Tex.
 Wolverton, Charles E., Portland, Ore.
 Womack, G. F., Duncan, Okla.
 Womack, T. J., Alva, Okla.
 Womble, B. S., Winston-Salem, N. C.
 Wood, Benjamin A., St. Louis, Mo.
 Wood, Chandler M., Boston, Mass.
 Wood, Edgar L., Milwaukee, Wis.
 Wood, Fremont, Boise, Idaho.
 Wood, Hiram E., Rochester, N. Y.
 Wood, Hunter, Sr., Hopkinsville, Ky.
 Wood, J. Clarence, Salt Lake City, Utah.
 Wood, John J., Jr., Berlin, Wis.
 Wood, John M., St. Louis, Mo.
 Wood, L. Elmer, Fall River, Mass.
 Wood, R. Francis, Philadelphia, Pa.
 Wood, Sol A., Fort Wayne, Ind.
 Wood, Sterling A., Birmingham, Ala.
 Wood, Sterling M., Billings, Mont.
 Wood, William R., Cincinnati, Ohio.
 Woodard, Fred. A., Wilson, N. C.
 Woodard, John E., Wilson, N. C.
 Woodard, William H., Watertown, Wis.
 Woodland, Frank H., Omaha, Nebr.
 Woodman, Albert S., Portland, Me.
 Woodman, Edward, Portland, Me.
 Woodrugh, Joseph W., Omaha, Neb.
 Woodruff, A. Edward, New York, N. Y.
 Woodruff, Charles M., Detroit, Mich.
 Woodruff, Clinton Rogers, Philadelphia, Pa.
 Woodruff, George M., Litchfield, Conn.
 Woodruff, Robert J., New Haven, Conn.
 Woods, Charles Albert, Marion, S. C.
 Woods, Edgar H., Pageville, Ky.
 Woods, Harry M., Augusta, Ark.
 Woods, Homer B., Harrisville, W. Va.
 Woods, J. H., Corsicana, Tex.
 Woods, J. M., Lewistown, Pa.
 Woods, John Carter Brown, Providence, R. I.
 Woods, John M., Martinsburg, W. Va.
 Woods, Samuel B., Jr., Petersburg, Va.
 Woods, William S., Taunton, Mass.
 Woods, William W., Wallace, Idaho.
 Woodward, Frederic C., Stanford Univ., Cal.
 Woodward, J. B., Wilkes-Barre, Pa.
 Woodworth, Edward K., Concord, N. H.
 Woledge, Gaius S., Minot, N. D.
 Woollen, William Watson, Indianapolis, Ind.
 Woolley, Victor B., Wilmington, Del.
 Woolsey, Theodore S., New Haven, Conn.
 Wooster, A. M., Bridgeport, Conn.
 Worcester, Edwin D., New York, N. Y.
 Word, R. Lee, Helena, Mont.
 Work, James C., Uniontown, Pa.
 Work, James Henry, New York, N. Y.
 Works, John D., Washington, D. C.
 Worman, Philip H., Dayton, Ohio.
 Wormser, Leo F., Chicago, Ill.
 Worrell, Edward S., Jr., Denver, Colo.
 Worsham, John C., Henderson, Ky.
 Worthen, Albert P., Boston, Mass.
 Worthington, Glenn H., Frederick, Md.
 Worthington, Thomas, Jacksonville, Ill.
 Worthington, William, Cincinnati, Ohio.
 Wourms, John H., Wallace, Idaho.
 Wright, Allen, McAlester, Okla.

Wright, Allen G., San Francisco, Cal.
 Wright, Arthur, Los Angeles, Cal.
 Wright, Arthur, New York, N. Y.
 Wright, Arthur W., Austin, Minn.
 Wright, Barry, Rome, Ga.
 Wright, Boardman, New York, N. Y.
 Wright, C. V., Logan, Ohio.
 Wright, Carl C., Chicago, Ill.
 Wright, Charles H., Pittsfield, Mass.
 Wright, Edward R., Santa Fe, N. Mex.
 Wright, Edwin G., Rockville Center, N. Y.
 Wright, Francis M., Urbana, Ill.
 Wright, Frank H., Great Barrington, Mass.
 Wright, Fred A., Scottsbluff, Nebr.
 Wright, Fred B., Minneapolis, Minn.
 Wright, George R., Wilkes-Barre, Pa.
 Wright, George S., Council Bluffs, Iowa.
 Wright, George S., Dallas, Texas.
 Wright, Heaton, New Haven, Conn.
 Wright, J. Purdon, Baltimore, Md.
 Wright, James B., Knoxville, Tenn.
 Wright, T. A., Knoxville, Tenn.
 Wright, W. H. DeC., Baltimore, Md.
 Wright, Wendell J., Hackensack, N. J.
 Wright, William A., New Haven, Conn.
 Wright, William B., Ealingham, Ill.
 Wright, William D., Knoxville, Tenn.
 Wrightington, S. R., Boston, Mass.
 Wurts, John, New Haven, Conn.
 Wurzer, F. Henry, Detroit, Mich.
 Wurzer, Louis C., Detroit, Mich.
 Wyckoff, J. Edwards, New York, N. Y.
 Wyman, Harry C., Boise, Idaho.
 Wyman, Henry A., Boston, Mass.
 Wynne, Kenneth, New Haven, Conn.
 Wyrick, Taylor B., St. Louis, Mo.
 Wyvell, Manton M., Washington, D. C.
 Yager, Albert E., Lemmon, S. D.
 Yancey, George W., Birmingham, Ala.
 Yeaman, Caldwell, Denver, Col.
 Yeaman, James M., Henderson, Ky.
 Yelland, Judd, Escanaba, Mich.
 Yellott, Osborne I., Baltimore, Md.
 Yerger, L. P., Greenwood, Miss.

Yerkes, George B., Detroit, Mich.
 Yerkes, John W., Washington, D. C.
 Yocum, George, Scranton, Pa.
 Yonge, J. E. Davis, Pensacola, Fla.
 Youmans, Frank A., Fort Smith, Ark.
 Young, A. L., Winthrop, Minn.
 Young, Arch A., Cumberland, Md.
 Young, C. L., Bismarck, N. D.
 Young, Charles H., New York, N. Y.
 Young, Charles L., Springfield, Mass.
 Young, Edward B., St. Paul, Minn.
 Young, Edwin P., Towanda, Pa.
 Young, Eugene N. L., Long Island City,
 N. Y.
 Young, George B., Newport, Vt.
 Young, George R., Dayton, Ohio.
 Young, Henry, Jr., Newark, N. J.
 Young, J. P., Memphis, Tenn.
 Young, John, Newport, Vt.
 Young, Newton C., Fargo, N. D.
 Young, Owen D., New York, N. Y.
 Young, Raymond G., Omaha, Nebr.
 Young, Stephen Emerson, Boston, Mass.
 Young, Stuart A., Newark, N. J.
 Young, Sydney, Philadelphia, Pa.
 Young, Thomas, Huntington, N. Y.
 Young, W. E., Akron, Ohio.
 Young, William, New York, N. Y.
 Young, William P., Pottstown, Pa.
 Youngman, William S., Boston, Mass.
 Zabriskie, George, New York, N. Y.
 Zane, John M., Chicago, Ill.
 Zeisler, Sigmund, Chicago, Ill.
 Zevely, J. W., Muskogee, Okla.
 Zillman, Christian C. H., Chicago, Ill.
 Zimmerman, Dennis, Tulsa, Tex.
 Zimmerman, George F., Emmett, Idaho.
 Zimmerman, S. R., Lancaster, Pa.
 Zimmers, William J., Milwaukee, Wis.
 Zink, Townsend M., Le Mars, Iowa.
 Zollcoffer, A. C., Henderson, N. C.
 Zollman, F. W., St. Paul, Minn.
 Zunts, James E., New Orleans, La.

STATE LIST OF MEMBERS

1915-1916.

ALABAMA.

Acker, William P., Anniston.
 Agee, A. P., Anniston.
 Akston, A. H., Clayton.
 Anderson, John C., Montgomery.
 Andress, Frank S., Birmingham
 Armbrecht, W. H., Mobile.
 Ball, Fred S., Montgomery.
 Ballard, Eugene, Prattville.
 Bowie, Sydney J., Birmingham.
 Bradley, Lee C., Birmingham.
 Bradshaw, Henry A., Florence.
 Bromberg, Frederick G., Mobile.
 Brown, Armstead, Montgomery.
 Brown, Lawrence E., Scottsboro.
 Brown, Leo M., Mobile.
 Cabanias, E. H., Birmingham.
 Callahan, W. W., Decatur.
 Cobb, William P., Tuskegee.
 Coleman, Phares, Birmingham.
 Cooper, George P., Huntsville.
 Cooper, Lawrence, Huntsville.
 Crum, B. P., Montgomery.
 Dent, S. Hubert, Jr., Montgomery.
 Evans, Robert B., Greensboro.
 Foster, A. B., Troy.
 Fuller, J. A., Selma.
 Godbey, E. W., Decatur.
 Godbold, Norman D., Camden.
 Goodwyn, Robert Tyler, Montgomery.
 Grubb, William I., Birmingham.
 Harrison, George P., Opelika.
 Harrison, W. Benton, Talladega.
 Harsh, Griffith R., Birmingham.
 Howze, Henry R., Birmingham.
 Hundley, Oscar R., Birmingham.
 Johnston, Forney, Birmingham.
 Jones, George W., Montgomery.
 Lamar, Howard, Birmingham.
 Lapeley, Rutherford, Anniston.
 Lee, Lawrence H., Montgomery.
 †Leigh, Norvelle R., Mobile.
 Ligon, R. F., Montgomery.

McAlpine, John W., Mobile.
 McArthur, Frank D., Birmingham.
 †McClellan, Thomas C., Birmingham.
 McCrossin, William P., Birmingham.
 McDaniel, Henry, Demopolis.
 McDowell, Chas. S., Jr., Eufaula.
 McMillan, B. F., Jr., Mobile.
 Martin, Thomas W., Birmingham.
 Martin, W. L., Montgomery.
 Mayfield, James J., Montgomery.
 Morrow, Hugh, Birmingham.
 O'Neal, Emmett (Montgomery), Florence.
 Patton, Wm. Wayne, Livingston.
 Pegram, George, Faunsdale.
 Pelham, John, Montgomery.
 Percy, Walker, Birmingham.
 Pettus, Edmund W., Selma.
 Petty, Turner, Huntsville.
 Prince, Sydney Rhodes, Mobile.
 Ray, James J., Jasper.
 Rudolph, Z. T., Birmingham.
 Rushton, Ray, Montgomery.
 Sanders, W. T., Athens.
 Selheimer, Henry C., Birmingham.
 Sims, Henry Upson, Birmingham.
 Smith, Robert E., Birmingham.
 Smith, Robert H., Mobile.
 Steiner, Robert E., Jr., Montgomery.
 Stern, Philip H., Montgomery.
 Stevens, T. M., Mobile.
 Stokely, J. T., Birmingham.
 Stollenwerck, Frank, Montgomery.
 Stringfellow, Horace, Montgomery.
 Thetford William F., Jr., Montgomery.
 †Thomas, E. Perry, Eufaula.
 Thorington, J. W., Montgomery.
 Tillman, John P., Birmingham.
 Tyson, John R., Montgomery.
 Vance, Victor, Gadsden.
 Walker, Richard W., Huntsville.
 Walker, W. R., Athens.
 Walker, William M., Birmingham.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

ALABAMA-ALASKA-ARIZONA-ARKANSAS.

Weakley, Samuel D., Birmingham.
 Weatherly, James, Birmingham.
 Well, Leon, Montgomery.
 Welch, W. S., Bessemer.
 White, Frank S., Birmingham.
 Wood, Sterling A., Birmingham.
 Yancey, George W., Birmingham.

ALASKA.

Brown, Fredk. M., Valdez.
 Cobb, John H., Juneau.
 Gunnison, Royal A., Juneau.
 Robertson, Ralph E., Juneau.

ARIZONA.

Ainsworth, Charles F., Phoenix.
 Anderson, Le Roy, Prescott.
 Baxter, Frank, Yuma.
 Bollinger, E. Elmo, Kingman.
 Burbage, W. H., Winslow.
 Campbell, John H., Tucson.
 Carpenter, Lewis T., Phoenix.
 Clark, E. S., Prescott.
 Cooper, William F., Tucson.
 Curley, Frank E., Tucson.
 Doe, Edward M., Flagstaff.
 Ellinwood, Everett E., Bisbee.
 Hardy, Leslie C., Phoenix.
 Hartman, Francis M., Tucson.
 Hawkins, John J., Prescott.
 Hayes, P. H., Phoenix.
 Hereford, Frank H., Tucson.
 Herndon, Charles W., Kingman.
 Ingles, Paul Kenau, Phoenix.
 Kent, Edward, Phoenix.
 Krook, Carl G., Kingman.
 Laine, F. B., Clifton.
 Little, Peter C., Globe.
 Mitchell, E. J., Prescott.
 Morrison, Robert E., Prescott.
 Perkins, F. W., Flagstaff.
 Ross, Henry D., Phoenix.
 Ross, John Mason, Bisbee.
 Rouse, Owen T., Tucson.
 Rutherford, Chas. H., Jerome.
 Sapp, Sidney, Holbrook.
 Seabury, William M., Phoenix.
 Shute, G. W., Globe.
 Sloan, Richard E., Phoenix.
 Smith, Frank O., Prescott.
 Smith, Marcus A., Tucson.
 Stilwell, Wm. H., Phoenix.
 Stoneman, George J., Phoenix.
 Thorne, Paul C., Oatman.
 Wilkinson, H. B., Phoenix.
 Wilson, Thomas F., Tucson.

ARKANSAS.

Alexander, W. B., Pine Bluff.
 Armistead, Henry M., Little Rock.
 Arnold, William H., Texarkana.
 Askew, William H., Magnolia.
 Bishop, John W., Nashville.
 Blackwood, John W., Little Rock.
 Block, J. D., Paragould.
 Boyce, E. L., Newport.
 Brooks, W. Burt, Little Rock.
 Buzbee, Thomas S., Little Rock.
 Campbell, Roy D., Cotton Plant.
 Campbell, S. D., Newport.
 Cantrell, Deaderick H., Little Rock.
 Carmichael, J. H., Little Rock.
 Casey, Samuel M., Batesville.
 Chamberlin, Horace, Little Rock.
 Cobb, M. S., Hot Springs.
 Cockrill, Ashley, Little Rock.
 Cohn, Morris M., Little Rock.
 Coleman, Charles T., Little Rock.
 Coleman, W. F., Pine Bluff.
 Cook, Harry E., Lake Village.
 Coston, J. T., Osceola.
 Cotham, Calvin T., Hot Springs.
 Cravens, W. M., Fort Smith.
 Crawford, John H., Arkadelphia.
 Cunningham, C. A., Blytheville.
 Curl, A., Hot Springs.
 Daily, Harry P., Fort Smith.
 Davidson, B. R., Fayetteville.
 Dickson, W. A., Bentonville.
 Dobyns, A. W., Little Rock.
 DuLaney, A. D., Ashdown.
 Dunaway, M. E., Little Rock.
 Elliott, John M., Pine Bluff.
 Feazel, W. P., Nashville.
 Fitzhugh, Henry L., Fort Smith.
 Frauenthal, Samuel, Little Rock.
 Gaughan, Thomas J., Camden.
 Hamby, C. C., Prescott.
 Harnwell, C. P., Little Rock.
 Hawthorne, D. K., Little Rock.
 Head, James D., Texarkana.
 Hemingway, Wilson E., Little Rock.
 Henderson, G. D., Little Rock.
 Henry, Patrick, Monticello.
 Hill, Joseph M., Fort Smith.
 Hogue, James E., Hot Springs.
 Hon, Daniel, Fort Smith.
 Huddleston, M. P., Paragould.
 Huff, C. Floyd, Hot Springs.
 Humphreys, T. H., Fayetteville.
 James, C. D., Eureka Springs.
 Johnson, James V., Little Rock.
 Jones, Gustave, Newport.

ARKANSAS-CALIFORNIA.

Kimpel, B. D., Fort Smith.
 Kinsworthy, E. B., Little Rock.
 Kirby, Wm. F., Little Rock.
 Knox, James C., Monticello.
 Lamb, N. F., Jonesboro.
 Lamb, W. J., Osceola.
 Leming, A. G., Waldron.
 Lewis, W. M., Little Rock.
 Loughborough, J. F., Little Rock.
 Lynn, Roscoe R., Little Rock.
 McCaleb, J. B., Batesville.
 McCollum, James H., Hope.
 McConnell, George A., Little Rock.
 McDonough, James B., Fort Smith.
 McHaney, Edgar L., Little Rock.
 McKenzie, H. B., Prescott.
 †McNemer, Philip, Little Rock.
 McRae, Thomas C., Prescott.
 Mann, Richard M., Little Rock.
 Mann, Samuel H., Forrest City.
 Martin, W. H., Hot Springs.
 Meade, U. L., Russellville.
 Mehaffy, T. M., Little Rock.
 Miles, Vincent M., Little Rock.
 Moncrief, John W., De Witt.
 Moore, Henry, Texarkana.
 †Moore, Henry Jr., Texarkana.
 Moore, J. Merrick, Little Rock.
 Moore, John I., Helena.
 Moore, John M., Little Rock.
 Moose, William L., Little Rock.
 Moss, Edgar E., Little Rock.
 Neill, Ernest, Batesville.
 †Oglesby, Ira D., Ft. Smith.
 Osborne, Thomas Samuel, Fort Smith.
 Pace, Frank, Little Rock.
 Pace, Troy, Little Rock.
 Patterson, W. E., El Dorado.
 Pettit, O. E., Stuttgart.
 Pope, Gustavus G., Texarkana.
 Powers, R. C., Little Rock.
 Pryor, Thomas B., Fort Smith.
 Pugh, George B., Little Rock.
 Quinn, Frank S., Texarkana.
 Rachels, J. N., Searcy.
 Rasco, R. D., De Witt.
 Ratcliffe, William C., Little Rock.
 Read, James F., Fort Smith.
 Reeder, Lyman F., Batesville.
 Reid, C. C., Little Rock.
 Riddick, W. G., Little Rock.
 Robertson, T. N., Little Rock.
 Robinson, Joseph T., Lonoke.
 Rogers, Silas W., Conway.
 Rose, George B., Little Rock.
 Rowell, Alex H., Pine Bluff.

Sain, David B., Nashville.
 Sain, J. G., Nashville.
 Smith, Frank, Little Rock.
 Smith, William B., Little Rock.
 Snodgrass, F. A., Little Rock.
 Southmayd, L. H., Van Buren.
 Stayton, Joseph M., Newport.
 Steel, Will, Texarkana.
 Streepey, John P., Little Rock.
 Stuckey, M. M., Newport.
 Suits, Frederick R., Newport.
 Terry, Walter J., Little Rock.
 Thweatt, Charles B., De Valls Bluff.
 Tompkins, William V., Prescott.
 Trieber, Jacob, Little Rock.
 Trimble, Thomas C., Lonoke.
 Turner, Jesse, Van Buren.
 Turner, T. A., Jonesboro.
 Vaughan, George, Little Rock.
 Ward, John B., Russellville.
 Warner, Charles E., Fort Smith.
 Whipple, Durand, Little Rock.
 Wiley, Robert E., Little Rock.
 Wilson, R. B., Russellville.
 Winchester, T. P., Ft. Smith.
 Wingo, Otis, T. De Queen.
 Woods, Harry M., Augusta.
 Youmans, Frank A., Fort Smith.

CALIFORNIA.

Abbott, Wm. M., San Francisco.
 Alexander, D. E., San Francisco.
 Anderson, J. A., Los Angeles.
 †Ashley, Arthur Henry, Stockton.
 Athearn, Fred G., San Francisco.
 Barclay, Henry Augustus, Los Angeles.
 Barry, Edmund D., Los Angeles.
 Beasley, W. A., San Jose.
 Beedy, Louis S., San Francisco.
 Bennett, Edmon G., Pasadena.
 Benton, C. E., Los Angeles.
 Bicksler, W. S., Los Angeles.
 Black, Alfred P., San Francisco.
 Bledsoe, Benjamin F., Los Angeles.
 Bolton, Adelbert E., San Francisco.
 Boone, Linden L., San Diego.
 Bosley, Wm. Bradford, San Francisco.
 Bowen, William A., Los Angeles.
 Bowie, J. F., San Francisco.
 Boynton, A. E., San Francisco.
 Brandenstein, H. U., San Francisco.
 Brann, Walter S., San Francisco.
 Brennan, Robert, Los Angeles.
 Briggs, Charles G., San Diego.
 Britt, E. W., Los Angeles.
 Brittain, Frank S., San Francisco.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

CALIFORNIA.

Brobeck, W. I., San Francisco.
 Burks, Paul, Los Angeles.
 Camp, Edgar W., Los Angeles.
 Campbell, Ira A., San Francisco.
 Cannon, William M., San Francisco.
 Carpenter, Samuel L., Los Angeles.
 Chandler, Jeff. P., Los Angeles.
 Chickering, W. H., San Francisco.
 Coke, James L., Oakland.
 Coogan, T. C., San Francisco.
 Corbet, Burke, San Francisco.
 Costello, Stephen V., San Francisco.
 Countryman, Robert H., San Francisco.
 Craig, Gavin W., Los Angeles.
 Craig, William T., Los Angeles.
 Creed, W. E., San Francisco.
 Crutcher, Albert, Los Angeles.
 Cushing, C. S., San Francisco.
 Cushing, O. K., San Francisco.
 Dall, Cornelius G., San Francisco.
 Daney, Eugene, San Diego.
 Davis, John F., San Francisco.
 Deering, Frank P., San Francisco.
 DeGolia, George E., Oakland.
 De LaMotte, J., San Diego.
 DeMartini, Walter J., San Francisco.
 Denis, George J., Los Angeles.
 Denman, William, San Francisco.
 Denson, S. C., San Francisco.
 Derby, H. S., Sacramento.
 Dillon, Richard J., Los Angeles.
 Dinkelspiel, Henry G., San Francisco.
 Dixon, John R., Riverside.
 Dockweiler, Isidore B., Los Angeles.
 Donahue, William H., Oakland.
 Doolittle, H. E., San Diego.
 Dozier, Thomas B., San Francisco.
 Dunn, W. E., Los Angeles.
 Dunne, Peter F., San Francisco.
 Edwards LeRoy M., Los Angeles.
 Eells, Charles P., San Francisco.
 Eickhoff, Henry, San Francisco.
 Elliot, Albert H., San Francisco.
 Estudillo, Miguel, Riverside.
 Everson, John, Los Angeles, Cal.
 Farrand, George E., Ventura.
 Fish, Howard J., Los Angeles.
 Fitzgerald, Robert M., Oakland.
 Flint, Frank P., Los Angeles.
 Ford, Tiley L., San Francisco.
 Freeman, G. R., Coronado.
 Frohman, Isaac, San Francisco.
 Fuller, Frederick E., Los Angeles.
 Fuller, George, Vista.
 Fulweiler, John M., Auburn.

Gandy, Newton S., Coronado.
 Gibbon, T. E., Los Angeles.
 Gibson, James A., Los Angeles.
 Goodfellow, Hugh, San Francisco.
 Goodrich, Ben, Los Angeles.
 Goodrich, Chauncey S., San Francisco.
 Gordon, Hugh T., Los Angeles.
 Gorrell, William H., San Francisco.
 Graff, M. L., Los Angeles.
 Gray, Roscoe Spaulding, Oakland.
 †Greer, Paul E., Los Angeles.
 Gregory, Warren, San Francisco.
 Grus, Edward T., South Pasadena.
 Haines, A., San Diego.
 †Hale, Theodore, Ukiah.
 Hall, Leicester C., Bishop.
 †Halstead, A. S., Los Angeles.
 Hannon, Joseph Edward, Los Angeles.
 Harrison, Edward C., San Francisco.
 Hart, William H. H., San Francisco.
 Haven, Thomas E., San Francisco.
 Helm, Lynn, Los Angeles.
 Hengstler, Louis T., San Francisco.
 Henning, Edward J., San Diego.
 Hocker, J. W., Los Angeles.
 Hodghead, Beverly L., San Francisco.
 Humaker, William J., Los Angeles.
 Hutton, Frank S., Los Angeles.
 Jackson, Grant, Los Angeles.
 Jarrott, William L., Los Angeles.
 Jennings, Robert P., Los Angeles.
 Jensen, Constan, Los Angeles.
 Job, Thomas C., Los Angeles.
 Johnson, George S., Alhambra.
 †Jolliffe, Elisha H., Ontario.
 Jones, Mattison B., Los Angeles.
 Justice, E. J., San Francisco.
 Jutten, L. W., Los Angeles.
 Keeler, P. E., Long Beach.
 Keesling, Francis V., San Francisco.
 Kelby, James E., Los Angeles.
 Kemp, John W., Los Angeles.
 Knight, Samuel, San Francisco.
 Kuhl, Max J., San Francisco.
 Lamson, J. S., San Francisco.
 Lee, Bradner W., Los Angeles.
 Lermen, J. J., San Francisco.
 Lewers, Charles R., San Francisco.
 Lewis, T. L., San Diego.
 Lillenthal, Jesse W., San Francisco.
 Lillick, Ira S., San Francisco.
 Lindley, Curtis H., San Francisco.
 Lloyd, Warren E., Los Angeles.
 Loeb, Joseph P., Los Angeles.
 Loewenthal, Max, Los Angeles.
 Long, Percy V., San Francisco.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

CALIFORNIA.

Lovell, Charles H., San Francisco.
 Lyders, E., San Francisco.
 McCutchen, E. J., San Francisco.
 McGee, Charles A. A., San Diego.
 McGregor, Major, Santa Barbara.
 McKannay, Harry G., San Francisco.
 McKevitt, Hugh K., San Francisco.
 McKinley, J. W., Los Angeles.
 McKinstry, J. C., San Francisco.
 McLaughlin, C. E., Sacramento.
 McMurray, Orrin K., Berkeley.
 †MacLellan, Geo. Wyeth, Los Angeles.
 Madison, F. D., San Francisco.
 Mansfield, Walter D., San Francisco.
 Mastick, George H., San Francisco.
 Melvin, Henry A., San Francisco.
 Meserve, Edwin A., Los Angeles.
 Metson, W. H., San Francisco.
 Middaugh, Henry G., San Francisco.
 Miller, John H., San Francisco.
 Milliken, E. E., Los Angeles.
 Monnette, Otto E., Los Angeles.
 Monroe, Charles, Los Angeles.
 Monroe, Henry E., San Francisco.
 Moody, Elmer I., Pasadena.
 Moore, A. A., San Francisco.
 Moore, Stanley, San Francisco.
 Morrison, A. F., San Francisco.
 Morrow, William W., San Francisco.
 Morton, William O., Los Angeles.
 Moss, Leon F., Los Angeles.
 Mott, John G., Los Angeles.
 Mueller, Oscar C., Los Angeles.
 Newlin, Gurney E., Los Angeles.
 Norton, E. M., Healdsburg.
 Olney, Warren, Jr., San Francisco.
 Overfield, Peter D., Los Angeles.
 Partridge, John S., San Francisco.
 Patton, Charles L., San Francisco.
 Peart, Hartley F., San Francisco.
 Phelps, Wm. W., Los Angeles.
 Pohl, Emil, San Francisco.
 Pomeroy, Carter P., San Francisco.
 Porter, Frank M., Los Angeles.
 Powell, Howell A., San Francisco.
 Pruitt, Drew, Los Angeles.
 Purcell, S. W., Long Beach.
 Pyle, Emery Clinton, Los Angeles.
 Baker, John E. (Washington, D. C.),
 Alturas.
 Redding, Joseph D., San Francisco.
 Regan, Edward A., Los Angeles.
 Rixford, E. H., San Francisco.
 Root, Edwin B., Los Angeles.
 Rose, Henry H., Los Angeles.
 Ross, Erskine M., Los Angeles.
 Rothchild, Walter, San Francisco.

Rowe, Purcell, San Francisco.
 Ryan, Daniel A., San Francisco.
 †Sanford, Elmer B., Los Angeles.
 Schmidt, Harry J., San Diego.
 Schoonover, Albert, Los Angeles.
 Scott, Joseph, Los Angeles.
 Scott, Thomas, Bakersfield.
 Sharpstein, W. C., San Francisco.
 Shaw, A. E., San Francisco.
 Short, Frank H., Fresno.
 Shortridge, Samuel M., San Francisco.
 Shurtleff, Charles A., San Francisco.
 Skinner, George A., Long Beach.
 Slack, Charles W., San Francisco.
 †Smith, Grant H., San Francisco.
 Smith, Sam Ferry, San Diego.
 Sprigg, Patterson, San Diego.
 Stearns Frederic W., San Diego.
 Steinhart, Jesse H., San Francisco.
 Storrs, Henry E., Los Angeles.
 Sullivan, Jerre F., San Francisco.
 Surr, Howard, San Bernardino.
 Sutro, Oscar, San Francisco.
 Tapscott, James R., Yreka.
 Thayer, Rufus, San Francisco.
 †Theisen, S. Joseph, San Francisco.
 Thomas, William H., Santa Ana.
 Titus, Harry L., San Diego.
 Torchiana, H. A. van C., San Francisco.
 †Townsend, Charles E., San Francisco.
 Trabant, Charles L., Oakland.
 Trippet, Oscar A., Los Angeles.
 Van Dyke, Henry S., Los Angeles.
 Van Fleet, Wm. C., San Francisco.
 Waldo George E., Los Angeles.
 Wallace, W. B., Visalia.
 Ward, M. L., San Diego.
 Webb, U. S., San Francisco.
 Wehrle, E. F., Los Angeles.
 Wellborn, Olin, Beverly Hills.
 West, Joel W., San Diego.
 Wheeler, Chas. Stetson, San Francisco.
 White, Burrell G., San Francisco.
 White, Thomas P., Los Angeles.
 White, William K., San Francisco.
 Whitting, Randolph V., San Francisco.
 Whittier, Clarke B., Pasadena.
 †Wiel, Samuel C., San Francisco.
 †Will, Arthur P., Sacramento.
 Willett, C. J., Pasadena.
 Wilson, C. H., San Francisco.
 Wilson, Mountford S., San Francisco.
 †Winston, Frederick J., Los Angeles.
 Woodward, Frederic C., Stanford Univ.
 Wright, Allen G., San Francisco.
 Wright, Arthur, Los Angeles.

† Elected by Executive Committee between Meetings.

† Elected by Association at Annual Meeting, 1915.

CHINA-COLORADO.

CHINA.

Hinckley, F. E., Shanghai.
 Lobingier, Charles S., Shanghai.
 Rankin, Charles W., Shanghai.

COLORADO.

Adams, Alva B., Pueblo.
 Adams, John T., Alamosa.
 Affolter, Edward, Louisville.
 Allen, George W., Denver.
 Andrew, Henry O., Boulder.
 Anna, Frank J., Fort Collins.
 Atwood, Joseph T., Boulder.
 Babb, Henry B., Denver.
 Basley, Morton S., Denver.
 Ballreich, Charles A., Pueblo.
 Bannister, L. Ward, Denver.
 †Barnett, John T., Denver.
 Bartels, Gustave C., Denver.
 Bell, Joseph O., Trinidad.
 †Bennett, John L., Colorado Springs.
 Blood, James H., Denver.
 †Blount, G. Dexter, Denver.
 Bouck, Francis E., Denver.
 Boughton, Edward J., Denver.
 Bradley, Charles D., Florence.
 Brewster, James H., Boulder.
 Brock, Charles E., Denver.
 Brooks, Franklin E., Colorado Springs.
 Brown, James H., Denver.
 Campbell, John, Denver.
 Cavender, Charles, Leadville.
 Chinn, William J., Colorado Springs.
 †Churchill, Edmund J., Denver.
 Clark, Frederic Wilson, Trinidad.
 Costigan, Edward P., Denver.
 Cuthbert, Lucius M., Denver.
 Daish, John B., Denver.
 †Dana, J. Howard, Denver.
 Davidson, John W., Pueblo.
 Davis, Harry C., Denver.
 Davis, Walter W., Leadville (New York, N. Y.).
 Dawson, Clyde C., Denver.
 Devine, Thomas H., Pueblo.
 Dines, Orville L., Denver.
 Dines, Tyson S., Denver.
 Dorsey, Clayton C., Denver.
 Dubbs, Henry A., Denver.
 Ellis, Daniel B., Denver.
 Ellithorp, Elias H., San Luis.
 Ewing, John A., Leadville.
 †Fairlamb, Millard, Delta.
 Farrar, Fred, Denver.
 Fleming, John D., Boulder.

Fleming, Russell W., Fort Collins.
 Fowler, Addison J., Denver.
 Frost, Hildreth, Colorado Springs.
 Fry, John H., Denver.
 Fuller, Pierpont, Denver.
 Gabbert, William H., Denver.
 Gabriel, John H., Denver.
 Gast, Robert S., Pueblo.
 †Gillette, Andrew W., Denver.
 Goddard, Luther M., Denver.
 Goss, Melvin C., Boulder.
 Goudy, Frank C., Denver.
 Gove, Frank E., Denver.
 Grant, Wm. West, Jr., Denver.
 Gregg, Frank E., Denver.
 Grozier, Joshua, Denver.
 Gunter, Julius C., Denver.
 Haines, Charles H., Denver.
 Hall Henry C. (Washington, D. C.), Colorado Springs.
 Hamlin, Clarence C., Colorado Springs.
 †Harris, Ira, Colorado Springs.
 Harrison, William B., Denver.
 Hartenstein, G. K., Buena Vista.
 Hartman, William L., Pueblo.
 Hatch, George B., Colorado Springs.
 Hawkins, Horace N., Denver.
 Haynes, H. N., Greeley.
 Hayt, Charles D., Denver.
 Heckendorf, Walter C., Denver.
 Herrington, Cass E., Denver.
 Herrington, Fred, Denver.
 Hersey, Henry J., Denver.
 Hodges, George L., Denver.
 Hodges, William V., Denver.
 Holland, Rush L., Colorado Springs.
 Holme, Peter H., Denver.
 Hubbard, Leslie E., Denver.
 †Hungerford, Victor W., Colorado Springs.
 Hurlbut, E. W., Denver.
 Hutton, William E., Denver.
 Ingram, Edwin J., Boulder.
 Irwin, George M., Colorado Springs.
 Jeffrey, A. L., Canon City.
 †Johnson, Lewis B., Denver.
 Karcher, George H., Denver.
 †Kelley, James W., Denver.
 Kelly, Harry E. (Washington, D. C.), Denver.
 Killian, James R., Denver.
 †Kinsley, Samuel H., Colorado Springs.
 Knowlton, Daniel W., Colorado Springs.
 †Lewis, Lawrence, Denver.
 Lewis, Robert E., Denver.
 Lindale, Henry A., Denver.
 †Little, John E., Colorado Springs.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

COLORADO—CONNECTICUT.

Logan, S. M., Grand Junction.
 Luethi, F. S., Boulder.
 Lunt, Horace G., Colorado Springs.
 Lutz, Henry E., Denver.
 McAllister, Henry, Jr., Denver.
 McCloud, Richard, Durango.
 McCorkle, James T., Pueblo.
 McCreery, James W., Greeley.
 McDonough, Frank, Sr., Denver.
 McHarg, T. A., Boulder.
 McHendrie, A. Watson, Trinidad.
 McKnight, Richard, Denver.
 McLean, Hugh, Denver.
 McMullin, S. G., Grand Junction.
 Manly, George C., Denver.
 Martin, Harold P., Boulder.
 Maxwell, John M., Denver.
 May, Henry F., Denver.
 Melville, Irving B., Denver.
 Montgomery, Norton, Denver.
 Moorhead, Frank L., Boulder.
 Morning, Charles A., Steamboat Springs.
 Morris, Ernest, Denver.
 †Morris, Wesley S., Colorado Springs.
 Moses, Albert L., Alamosa.
 Murray, P. H., Trinidad.
 Muser, George W., Denver.
 Northcutt, Jesse G., Trinidad.
 O'Donnell, Thomas J., Denver.
 Packard, Sperry S., Pueblo.
 †Palmer, John I., Saguache.
 Park, Edwin H., Denver.
 Perahing, James H., Denver.
 Preston, J. W., Pueblo.
 Reddin, John H., Denver.
 Reed, Albert A., Boulder.
 Regennitter, Erwin L., Idaho Springs.
 †Riddle, Harry C., Denver.
 †Ritter, Alfred, Colorado Springs.
 Rogers, Henry T., Denver.
 Rogers, Platt, Denver.
 Sabin, Fred A., La Junta.
 Schultz, John H., Denver.
 †Scott, Tully, Denver.
 Searcy, W. N., Durango.
 Shafroth, John F., Denver.
 †Sheafor, John W., Colorado Springs.
 †Sherwin, Frederic L., Colorado Springs.
 Smith, H. Alexander, Colorado Springs.
 Smith, John R., Denver.
 †Spurgeon, William H., Colorado Springs.
 †Steele, George P., Denver.
 Stevenson, Archie M., Denver.
 Stimson, Edward C., Denver.
 Stover, Fred W., Fort Collins.
 Stow, Fred W., Fort Collins.

Strickler, David P., Colorado Springs.
 †Stuart, Barawell S., Denver.
 Symes, J. Foster, Denver.
 Tears, Daniel W., Denver.
 Tedrow, Harry B., Boulder.
 Thomas, Charles S., Denver.
 Thompson, William Hall, Greeley.
 Truesdell, John F., Denver.
 †Turner, Thomas C., Colorado Springs.
 Twitchell, LaFayette, Denver.
 †Upton, Ernest B., Trinidad.
 Valle, Joel F., Denver.
 Vates, William B., Pueblo.
 Vidal, Henry C., Denver.
 Wadley, William H., Denver.
 Warner, Stanley Clark, Denver.
 Waterman, Charles W., Denver.
 West, Frank C., Denver.
 White, S. Harrison, Denver.
 Whitted, Elmer E., Denver.
 †Wiley, Jesse C., Del Norte.
 Wilkin, Charles A., Canon City.
 Worrell, Edward S., Jr., Denver.
 Yeaman, Caldwell, Denver.

CONNECTICUT.

Alcorn, Hugh M., Hartford.
 Alling, Arnon A., New Haven.
 Alling, John W., New Haven.
 Andrews, James P., Hartford.
 Asher, Harry W., New Haven.
 Aubrey, Alfred B., Meriden.
 Avery, C. L., New London.
 Baldwin, Alfred O., Derby.
 Baldwin, Simeon E., New Haven.
 Banks, John W., Bridgeport.
 Beach, John K., New Haven.
 Beardsley, Morris B., Bridgeport.
 Beers, George E., New Haven.
 Bill, Albert O., Hartford.
 †Bollman, Frank E., New Haven.
 Booth, John R., New Haven.
 Bowers, Spotswood D., Bridgeport.
 Bronson, Nathaniel R., Waterbury.
 Brosmith, William, Hartford.
 Broughel, A. J., Hartford.
 Burpee, Lucien Francis, Waterbury.
 Byrne, M. J., Waterbury.
 Campner, Samuel, New Haven.
 Carmody, Terrence F., Waterbury.
 Case, Birdsey E., Hartford.
 Chambers, Arthur W., New Haven.
 Chase, Warren D., Hartford.
 Church, Ulysses G., Waterbury.
 Cleveland, Livingston W., New Haven.
 Cole, Edward F., Waterbury.

† Elected by Executive Committee between Meetings.

CONNECTICUT.

Grenant, George A., Hartford.
 †Connor, James E., New Haven.
 Crane, Albert (New York, N. Y.),
 Stamford.
 Culver, M. Eugene, Middletown.
 Cummings, Homer S., Stamford.
 Cunningham, Martin J., Danbury.
 Curtis, Howard J., Stratford.
 Daggett, Leonard M., New Haven.
 Davenport, Daniel, Bridgeport.
 Davis, Samuel A., Danbury.
 Day, Edward M., Hartford.
 Day, Harry G., New Haven.
 Drew, Harold E., Derby.
 Elliott, John, New Haven.
 Ely, William B., New Haven.
 Fay, Frank S., Meriden.
 FitzGerald, David E., New Haven.
 Foster, Carl, Bridgeport.
 Gager, Edwin B., Derby.
 Gilson, John L., New Haven.
 Gould, Louis K., Bridgeport.
 Greene, Gardiner, Norwich.
 Groes, Charles Welles, Hartford.
 Haines, Frank D., Middletown.
 Hall, Henry A. L., New Haven.
 Halliday, Wilbur T., Hartford.
 Harriman, Edward Avery, New Haven.
 Hart, Harrie E., Hartford.
 Herman, Samuel A., Winsted.
 Hewitt, Harrison, New Haven.
 Higgins, Edwin W., Norwich.
 Higgins, Richard T., Winsted.
 Hill, George E., Bridgeport.
 Hohfeld, Wesley H., New Haven.
 Holden, Frederick Wm., Ansonia.
 Hoyt, Samuel E., New Haven.
 Hull, Charles Hadlai, New London.
 Hull, Hadlai A., New London.
 Huntington, J. P., Norwich.
 Hyde, Alvan Waldo, Hartford.
 Hyde, William W., Hartford.
 Ierardi, Rocco, New Haven.
 Ives, J. Moss, Danbury.
 Joslyn, Charles M., Hartford.
 Kellogg, John P., Waterbury.
 Kenealy, Michael, Stamford.
 Kennedy, William, Naugatuck.
 Klein, Jacob B., Bridgeport.
 Kleiner, Charles, New Haven.
 Light, John H., South Norwalk.
 Lockwood, Charles D., Stamford.
 Lonergan, Augustine, Hartford.
 Loomis, Seymour C., New Haven.
 Lynch, Bernard E., New Haven.
 McCarthy, Frederick M., Ansonia.

McCook, Anson T., Hartford.
 McGrath, John F., Waterbury.
 McGuire, Frank L., New London.
 McLean, George P., Hartford.
 Mahan, Bryan F., New London.
 Makepeace, Walter D., Waterbury.
 Maltbie, Theodore M., Hartford.
 Mansfield, Burton, New Haven.
 Marsden, Arthur W., Madison.
 Marsh, Samuel John, Waterbury.
 Martin, Charles J., New Haven.
 †Martin, Sanford B., New Haven.
 Marvin, E. P. Waldo, Hartford.
 Mathewson, Albert McClellan, New Haven.
 Merrels, F. B., Hartford.
 Merritt, Albert J., Bridgeport.
 Merwin, Henry W., New Haven.
 Montgomery, Phelps, New Haven.
 Morehouse, Samuel C., New Haven.
 Mulligan, William J., Thompsonville.
 O'Brien, Patrick T., Meriden.
 O'Neill, John J., Waterbury.
 Pallman, A. Oswald, New Haven.
 Parker, Francis H., Hartford.
 Pearne, W. U., Middletown.
 Peck, Epaphroditus, Bristol.
 †Peck, George L., New Haven.
 Pelton, Charles A., Clinton.
 Perry, Fred L., New Haven.
 Phelan, John J., Bridgeport.
 Phelps, Charles, Rockville.
 Pierce, Wilson H., Waterbury.
 Pond, Philip, New Haven.
 Prentice, S. O., Hartford.
 Pullman, John S., Bridgeport.
 Rathbun, Herbert W., Mystic.
 Rhodes, James E., 2nd, Hartford.
 Robbins, Edward D., New Haven.
 Robertson, A. Heaton, New Haven.
 Rogers, Edward H., New Haven.
 Rogers, Henry Wade, New Haven.
 †Rosenbluth, Louis M., New Haven.
 Russell, Frank F., Putnam.
 Russell, Frederick C., New Haven.
 Russell, Talcott H., New Haven.
 Ryan, Thomas F., Litchfield.
 Scott, Frederick A., Hartford.
 Scott, Howard B., Danbury.
 Searls, Charles E., Putnam.
 Seymour, Morris W., Bridgeport.
 Shapiro, Charles H., Bridgeport.
 Sherman, Charles P., New Haven.
 Smith, Edward L., Hartford.
 Spafford, John A., Bridgeport.
 Stanton, Lewis E., Hartford.
 Sturges, George R., Woodbury.

† Elected by Executive Committee between Meetings.

CONNECTICUT-CUBA-DELAWARE-DISTRICT OF COLUMBIA.

Sweeney, John M., Naugatuck.
 Taft, Wm. H. (Cincinnati), New Haven.
 Taylor, Frederick C., Stamford.
 Thomas, Edwin S., New Haven.
 Thoma, William E., Waterbury.
 Tilson, John Q., New Haven.
 Townshend, Henry H., New Haven.
 Tuttle, J. Birney, New Haven.
 Tuttle, Jos. P., Hartford.
 Tyler, Rollin U., Tylerville.
 Walsh, John J., Norwalk.
 Walsh, Robert Jay, Greenwich.
 Warner, Donald T., Salisbury.
 Watrous, George D., New Haven.
 Webb, Howard O., New Haven.
 Webb, James H., New Haven.
 †Wells, Ralph Olney, Hartford.
 Wheeler, George W., Bridgeport.
 Wheeler, James E., New Haven.
 Wiggin, F. H., New Haven.
 Williams, Frederic M., Waterbury.
 Williams, William H., Derby.
 Wolfe, Isaac, New Haven.
 Woodruff, George M., Litchfield.
 Woodruff, Robert J., New Haven.
 Woolsey, Theo. S., New Haven.
 Wooster, A. M., Bridgeport.
 Wright, Heaton, New Haven.
 Wright, William A., New Haven.
 Wurts, John, New Haven.
 †Wynne, Kenneth, New Haven.

CUBA

Lamar, Lucius Q. C., Havana.

DELAWARE.

Ball, J. Frank, Wilmington.
 Bayard, Thomas F., Wilmington.
 Baynard, Samuel H., Jr., Wilmington.
 Bradford, Edward G., Wilmington.
 Brown, George T., Wilmington.
 Burchenal, Caleb E., Wilmington.
 Conrad, Henry C., Georgetown.
 Curley, Charles F., Wilmington.
 Curtis, Charles M., Wilmington.
 Eastburn, Horace G., Wilmington.
 Emmons, Harry, Wilmington.
 England, Howell S., Wilmington.
 Garland, Hugh A., Wilmington.
 Gray, Andrew C., Wilmington.
 Gray, George, Wilmington.
 Harrington, Wm. Watson, Dover.
 Heisel, T. Bayard, Delaware City.

Hilles, William S., Wilmington.
 Hoeffcker, Francis H., Wilmington.
 Janvier, Francis deH., Wilmington.
 Jones, Frank M., Georgetown.
 Kenney, Richard R., Dover.
 Laffey, John P., Wilmington.
 Le Fevre, Charles H., Dover.
 Magee, Arley B., Dover.
 Marvel, David T., Wilmington.
 Marvel, Josiah, Wilmington.
 Nields, Benjamin, Wilmington.
 Nields, John P., Wilmington.
 Penington, Robert, Wilmington.
 Polk, Albert F., Georgetown.
 Prickett, William S., Wilmington.
 Richards, Robert H., Wilmington.
 Ridgely, Henry, Dover.
 Satterfield, James M., Dover.
 Satterthwaite, Reuben, Jr., Wilmington.
 Townsend, Sylvester D., Jr., Wilmington.
 Ward, Herbert O., Wilmington.
 Wolcott, Josiah O., Wilmington.
 Woolley, Victor B., Wilmington.

DISTRICT OF COLUMBIA.

Adkins, Jesse C., Washington.
 Ambrose, William Earl, Washington.
 Anderson, Thos. H., Washington.
 Ansell, Samuel T., Washington.
 Archer, James B., Washington.
 Bacon, Levi Seward, Washington.
 Bailey, Edward S., Washington.
 Bailey, Joseph W., Washington (Gainesville, Tex.).
 Bailey, Lorenzo Alton, Washington.
 Baker, Daniel W., Washington.
 Baker, Gibbs L., Washington.
 Baker, Jay Newton, Washington.
 Balderston, Walter C., Washington.
 Barber, Orion M., Washington.
 Barnard, Job, Washington.
 Barnard, Ralph P., Washington.
 Bell, Alexander H., Washington.
 Bentley, Alexander G., Washington.
 Berry, Walter V. R., Washington.
 Bielaski, A. Bruce, Washington.
 Birney, Arthur A., Washington.
 Blair, Henry P., Washington.
 Blair, John S., Washington.
 Bond, Samuel R., Washington.
 Bradford, Ernest W., Washington.
 Bradley, Charles H., Washington.
 Brantley, W. G., Washington.
 Breckenridge, Henry, Washington.
 Brickenstein, John H., Washington.

† Elected by Executive Committee between Meetings.

DISTRICT OF COLUMBIA.

- Bride, William W., Washington.
 Britton, Alexander, Washington.
 Brown, Chapin, Washington.
 Brown, Wrisley, Washington.
 Browne, Arthur S., Washington.
 Browne, Evans, Washington.
 Burkart, Joseph A., Washington.
 Burton, H. Ralph, Washington.
 Caffey, Francis Gordon, Washington.
 Campbell, Edw. K., Washington.
 Capers, John G., Washington.
 Carland, John E., Washington.
 Carusi, Charles F., Washington.
 Chamberlin, J. Morrill, Washington.
 Chapin, Frederick E., Washington.
 Church, Melville, Washington.
 Church, Melville D., Washington.
 Clagett, Charles W. (Hyattsville, Md.), Washington.
 Clark, J. Reuben, Jr., Washington.
 Clark, Lincoln E., Washington.
 Clement, Edward E., Washington.
 Clements, Francis W., Washington.
 Clephane, Walter C., Washington.
 Clifton, John W., Washington.
 Cohen, Myer, Washington.
 Colbert, Michael J., Washington.
 Colladay, Edward F., Washington.
 Colton, Henry E., Washington.
 Cooke, Levi, Washington.
 Covington, J. Harry, Washington.
 Crowder, Enoch H., Washington.
 Cushman, A. V., Washington.
 Dahlgren, John B., Washington.
 Dalzell, John, Washington.
 Davies, Joseph E., Washington.
 Davis, Henry E., Washington.
 Dean, Chas. Ray, Washington.
 DeKnight, Clarence W., Washington.
 De Lacy, William H., Washington.
 Dennis, William Cullen, Washington.
 De Vries, Marion (Lodi, Cal.), Washington.
 Dillingham, Wm. P., Washington.
 Dodge, Horace A., Washington.
 Dodge, William W., Washington.
 Donaldson, R. Golden, Washington.
 Douglas, Charles A., Washington.
 Dowell, Arthur E., Washington.
 Dowell, Julian C., Washington.
 Dowell, Osgood H., Washington.
 Drain, James A., Washington.
 Duckett, Marion, Washington.
 Dunlop, G. Thomas, Washington.
 Easby-Smith, James S., Washington.
 Edmonston, William E., Washington.
 Edson, Joseph R., Washington.
 Elliott, Milton C., Washington.
 Ellis, Wade H., Washington.
 English, Walter C., Washington.
 Esterline, Blackburn, Washington.
 Ewing, Thomas, Jr., Washington.
 Faust, Frederick De C., Washington.
 Fenning, Frederick A., Washington.
 Fisher, Robert J., Washington.
 Flannery, John Spalding, Washington.
 Fletcher, Duncan U., Washington.
 Folk, Joseph W., Washington.
 Ford, Richard A., Washington.
 Foster, Charles E., Washington.
 Fox, Duane E., Washington.
 Fox, Frank B., Washington.
 Fralley, Charles L., Washington.
 Friend, Harvey M., Washington.
 Gardiner, W. Gwynn, Washington.
 Gary, Hampson, Washington.
 Gatley, H. Prescott, Washington.
 Gittings, John C., Washington.
 Glven, Harvey, Washington.
 Glassie, Henry Haywood, Washington.
 Gordon, Peyton, Washington.
 Gould, Ashley M., Washington.
 Graham, Byron U., Washington.
 Graham, Samuel J., Washington.
 Gregory, Charles Noble, Washington.
 Gregory, Thomas W. (Austin, Tex.), Washington.
 Hackett, Chauncey, Washington.
 Hall, Judson S., Washington.
 Hamilton, George Earnest, Washington.
 Harlow, Leo P., Washington.
 Harr, William R., Washington.
 Hawken, S. McComas, Washington.
 Hayden, James H., Washington.
 Henderson, Daniel B., Washington.
 Henderson, William G., Washington.
 Henry, Thomas M., Washington.
 Herrick, Samuel, Washington.
 Herron, William C., Washington.
 Hitt, Isaac Reynolds, Washington.
 Hitz, William, Washington.
 Hodges, Vernon E., Washington.
 Hogan, Frank J., Washington.
 Hoover, George P., Washington.
 Hottenstein, Marcus S., Washington.
 Hough, Franklin H., Washington.
 Howard, George H., Washington.
 Howe, Walter Bruce, Washington.
 Hughes, Charles E. (New York, N. Y.), Washington.
 Hughes, William J., Washington.
 Huidekoper, Reginald S., Washington.

DISTRICT OF COLUMBIA.

Hynson, N. Thornton, Washington.
 Jeffries, L. E., Washington.
 Johnson, Guy H., Washington.
 Kappler, Charles J., Washington.
 Kenyon, J. Miller, Washington.
 Kimball, Edward B., Washington.
 King, Archibald, Washington.
 King, George A., Washington.
 King, William B., Washington.
 Knaebel, Ernest, Washington.
 Knapp, Martin A., Washington.
 Knight, Hervey S., Washington.
 Krauthoff, Edwin A., Washington.
 Lamar, George H., Washington.
 Lamar, Wm. H., Washington (Rockville, Md.)
 Lambert, Wilton J., Washington.
 Lancaster, Charles C., Washington.
 Lansing, Robert, Washington.
 Larner, John B., Washington.
 Laskey, John E., Washington.
 Lawler, Oscar, Washington.
 Leckie, A. E. L., Washington.
 Lesh, Paul E., Washington.
 Lester, Wharton E., Washington.
 Lewis, Fulton, Washington.
 Linkins, Charles, Washington.
 Linkins, William H., Washington.
 Loving, Lucas P., Washington.
 Lyon, Simon, Washington.
 McCalmont, Edward S., Washington.
 McKenney, Frederic D., Washington.
 McLanahan, George X., Washington.
 McReynolds, James C., Washington (New York.)
 MacFarland, Henry B. F., Washington.
 Maddox, Samuel, Washington.
 Mageon, Charles E., Washington.
 Martin, George E., Washington.
 Mason, Eugene G., Washington.
 Metzgerott, Oliver S., Washington.
 Michener, L. T., Washington.
 Micou, Benjamin, Washington.
 Millan, William W., Washington.
 Minor, Benjamin S., Washington.
 Mohun, Barry, Washington.
 Montgomery, Robert M., Washington.
 Moore, Langdon, Washington.
 Morrill, Chester (Knoxville, Tenn.), Washington.
 Moulton, Hosea B., Washington.
 Myers, T. Percy, Washington.
 Needham, Charles W., Washington.
 Newcomb, H. T., Washington.
 Norris, James L., Washington.

Northrop, Claudian B. (Charleston, S. C.), Washington.
 Obear, Hugh H., Washington.
 Page, Thomas Nelson (Rome, Italy), Washington.
 Pattison, Allen S., Washington.
 Peele, Stanton C., Washington.
 Penfield, Walter S., Washington.
 Perry, Frank S., Washington.
 Perry, R. Ross, Jr., Washington.
 Peyser, Julius L., Washington.
 Pitney, Mahlon, Washington.
 Plumley, Frank, Washington.
 Prentiss, Spencer B., Washington.
 †Prevost, George A., Washington.
 Pugh, Arthur B. (Salem, Va.), Washington.
 Ralston, Jackson H., Washington.
 Ramsey, George W., Washington.
 Ritter, Frederick W., Jr., Washington.
 Rogers, Walter F., Washington.
 Rosenberg, Maurice D., Washington.
 Rowland, Hugh B., Washington.
 Ruffin, Thomas, Washington.
 Saul, John A., Washington.
 Saulebury, Willard, Washington.
 Scott, James Brown, Washington.
 Scott, William W., Washington.
 Seymour, Henry A., Washington.
 Sherley, Swager, Washington.
 Shields, John K., Washington.
 Siddons, Frederick Lincoln, Washington.
 Sleman, Paul, Washington.
 Smith, James F., Washington.
 Smith, John Lewis, Washington.
 Snow, Alpheus H., Washington.
 Sohon, Henry W., Washington.
 Spear, Ellis, Washington.
 Stafford, Wendell P., Washington.
 Sturtevant, Charles L., Washington.
 Sullivan, William O., Washington.
 Syme, Conrad H., Washington.
 Taylor, Hannia, Washington.
 Thom, Alfred P., Washington.
 Thom, Corcoran, Washington.
 Thomas, Edward H., Washington.
 Thompson, Arthur R., Washington.
 Thompson, Samuel Huston, Jr., Washington.
 Tittmann, Charles T., Washington.
 Todd, G. Carroll, Washington.
 Tucker, Charles Cowles, Washington.
 Tyler, Frederick S., Washington.
 Underwood, E. Marvin, Washington.
 Van Devanter, Willis, Washington.
 Van Ordel, Josiah A., Washington.
 Vieth, Henry A., Washington.

† Elected by Executive Committee between Meetings.

DISTRICT OF COLUMBIA—FLORIDA.

Walker, Philip, Washington.
 Wallace, William, Jr., Washington.
 Warren, Charles, Washington.
 Watson, James A., Washington.
 Watson, Robert, Washington.
 Wells, A. Coulter, Washington.
 West, Preston C., Washington.
 Wheatley, H. Winship, Washington.
 Whittlesey, Geo. P., Washington.
 Wicker, Cyrus F., Washington.
 Williams, George Francis, Washington.
 †Williams, Nathan B., Washington.
 Williamson, Chas. J., Washington.
 Williamson, W. Preston, Washington.
 Wilson, Andrew, Washington.
 Wilson, Charles F., Washington.
 Wilson, Clarence R., Washington.
 Wilson, Nathaniel, Washington.
 Wilson, Woodrow, Washington. (Princeton, N. J.)
 Works, John D., Washington.
 Wyvell, Manton M., Washington.
 Yerkes, John W., Washington.

FLORIDA.

Adams, Charles S., Jacksonville.
 Adkins, J. C., Gainesville.
 Anderson, Robert L., Ocala.
 Avery, John C., Pensacola.
 Axtell, Ezra P., Jacksonville.
 Baker, Robert A., Jacksonville.
 Baker, William H., Jacksonville.
 Bays, Harry P., Tampa.
 Bedell, George C., Jacksonville.
 Benson, Clifton D., Miami.
 Bisbee, Horatio, Jacksonville.
 Bishop, Henry W., Eustis.
 Blount, A. C., Jr., Pensacola.
 Blount, William A., Pensacola.
 Boggs, Lucien H., Jacksonville.
 Borchardt, Samuel, Tampa.
 Bostwick, William M., Jr., Jacksonville.
 Bryan, Nathan P., Jacksonville.
 Butler, Fred W., Jacksonville.
 †Caldwell, H. S., Jasper.
 †Caldwell, Stafford, Live Oak.
 Campbell, Angus G., DeFuniak Springs.
 Campbell, Daniel Curry, Jacksonville.
 Caraballo, Martin, Tampa.
 Carter, William A., Tampa.
 Cockrell, A. W., Jr., Jacksonville.
 Cockrell, Alston, Jacksonville.
 Crawford, John T. G., Jacksonville.
 Davis, Robert E., Gainesville.
 Dewhurst, Wm. W., St. Augustine.
 Doggett, John L., Jacksonville.
 Duval, Louis W., Ocala.
 Fee, Fred, Fort Pierce.
 Fleming, Francis P., Jacksonville.
 Frazier, J. W., Tampa.
 Gaines, J. B., Leesburg.
 Gibbons, Cromwell, Jacksonville.
 Gibbons, M. G., Tampa.
 Gibbs, George C., Jacksonville.
 Gillespie, J. Hamilton, Sarasota.
 Glen, James F., Tampa.
 Gordon, Horace C., Tampa.
 Hampton, Hilton S., Tampa.
 Hampton, William Wade, Gainesville.
 Harrell, John F., Live Oak.
 Hartridge, John E., Jacksonville.
 Hodges, William C., Tallahassee.
 Horne, Mallory, F., Jasper.
 Hudson, Frederick M., Miami.
 Hunter, William, Tampa.
 Jones, John C., Orlando.
 Jones, Joseph H., Orlando.
 Kay, William E., Jacksonville.
 Knight, Peter O., Tampa.
 Laird, H. S., Milton.
 L'Engle, E. J., Jacksonville.
 Locke, James W., Jacksonville.
 Long, Martin Henry, Jacksonville.
 Lucas, Thomas Edward, Tampa.
 McGarry, Thomas F., Jacksonville.
 McKay, Kenneth I., Tampa.
 †McMullen, Alonzo B., Tampa.
 McMullen, Donald C., Tampa.
 Marks, Richard P., Jacksonville.
 Massey, Louis O., Orlando.
 Maxwell, Evelyn C., Pensacola.
 Merrell, Herman, St. Petersburg.
 Noble, Fred B., Jacksonville.
 Odlin, Arthur F., Arcadia.
 Odom, Patrick H., Jacksonville.
 Olliphant, Horace K., Bartow.
 Pelot, Charles E., Jacksonville.
 Pettingill, N. B. K., Tampa.
 Powell, George M., Jacksonville.
 Price, William H., Marianna.
 Rand, Frederic H., Jr., Miami.
 Reynolds, John Chandler, Jacksonville.
 Rinehart, C. D., Jacksonville.
 Roberson, L. E., Live Oak.
 Rose, A. J., Miami.
 Rowe, R. H., Madison.
 St. Clair-Abrams, Alex., Jacksonville.
 Semple, Edward M., Key West.
 Shackelford, T. M., Jr., Tampa.
 Sheppard, Wm. B., Pensacola.
 †Shutts, Frank B., Miami.
 Singeltary, John B., Bradentown.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

FLORIDA—FRANCE—GEORGIA.

Smith, William P., Miami.
 Sparkman, E. L., Tampa.
 Sparkman, Stephen M., Tampa.
 Stevens, Carlos W., Fort Myer.
 Stokes, John P., Pensacola.
 Sullivan, J. J., Pensacola.
 Taylor, H. H., Key West.
 Taylor, R. Fenwick, Tallahassee.
 Toomer, W. M., Jacksonville.
 Trammell, C. M., Bartow.
 Turner, Alonzo G., Tampa.
 Vans Agnew, P. A., Jacksonville.
 West, Thomas Franklin, Tallahassee.
 Wilson, Cephas L., Marianna.
 Wilson, Emmett, Pensacola.
 Wingood, Augustus, Tampa.
 Winthrop, Francis B., Tallahassee.
 Yonge, J. E. Davis, Pensacola.

FRANCE.

Conner, Benjamin H., Paris.
 Forbes, J. Grant, Paris.
 Gaulin, A., Marseilles.
 Harper, Donald, Paris.
 Stevens, Walter C., Paris.

GEORGIA.

Adams, J. S., Dublin.
 Adams, Samuel B., Savannah.
 Arnold, Reuben R., Atlanta.
 Atkinson, Spencer R., Atlanta.
 Barrett, Wm. H., Augusta.
 Bartlett, Charles L., Macon.
 Bennet, Sam S., Albany.
 Black, Eugene R., Atlanta.
 Branch, Lee W., Quitman.
 Brandon, Morris, Atlanta.
 Bryan, Shepard, Atlanta.
 Cann, J. Ferris, Savannah.
 Charlton, Walter G., Savannah.
 Chastain, Edward S., Nashville.
 Clay, William Law, Savannah.
 Cobb, Andrew J., Athens.
 Crovatt, A. J., Brunswick.
 Crum, D. A. R., Cordele.
 Cumming, Joseph B., Augusta.
 Cunningham, Henry C., Savannah.
 Cunningham, T. M., Jr., Savannah.
 Daley, A. F., Wrightsville.
 †Dowling, James L., Moultrie.
 Elliott, Edw. Stiles, Savannah.
 Fish, William H., Atlanta.
 Flynt, Roger D., Dublin.
 Fortson, Blanton, Athens.
 Fulwood, C. W., Tifton.
 Gasan, Simon N., Savannah.

Gignilliat, William L., Savannah.
 †Gignilliat, William R., Savannah.
 Gilbert, James H., Atlanta.
 Goetchius, Henry R., Columbus.
 Gordon, William W., Savannah.
 Hammond, Theodore A., Atlanta.
 Hammond, William R., Atlanta.
 Harris, Walter A., Macon.
 Hawes, T. S., Bainbridge.
 Hill, H. W., Atlanta.
 †Hirsch, Harold, Atlanta.
 Hofmayer, I. J., Albany.
 †Hopkins, Stiles, Atlanta.
 Hull, James M., Jr., Augusta.
 Irvin, I. T., Jr., Washington.
 Johnson, Henry Wiley, Savannah.
 Jones, George S., Macon.
 Jordan, Lee M., Atlanta.
 King, Alexander C., Atlanta.
 †Kline, Alfred R., Moultrie.
 Kontz, Ernest C., Atlanta.
 Lamar, Joseph R. (Washington, D. C.),
 Augusta.
 Lambdin, William W., Savannah.
 Latimer, W. Carroll, Atlanta.
 Lawrence, Alexander A., Savannah.
 Lawson, Harley F., Hawkinsville.
 Lawton, Alexander R., Savannah.
 Leaken, William R., Savannah.
 Lovett, A. B., Sylvania.
 Luke, Roscoe, Thomasville.
 †McKenzie, J. D., Moultrie.
 McWhorter, Hamilton, Athens.
 MacIntyre, Wm. Irvin, Thomasville.
 Mackall, William W., Savannah.
 Maddox, George Edmondson, Rome.
 Mayer, Albert E., Atlanta.
 Meldrim, Peter W., Savannah.
 Merrill, Jos. Hansell, Thomasville.
 Miller, A. L., Macon.
 Morris, Sylvanus, Athens.
 Newman, Wm. T., Atlanta.
 O'Byrne, M. A., Savannah.
 Oliver, Frank M., Savannah.
 Owens, George W., Savannah.
 Pardee, Don A., Atlanta.
 Park, Orrville A., Macon.
 Payton, Claude, Sylvester.
 Peebles, Henry C., Atlanta.
 Pope, John D., Albany.
 Porter, J. H., Atlanta.
 Pottle, J. R., Albany.
 Randolph, Hollins N., Atlanta.
 Rogers, Z. B., Elberton.
 Rosser, Luther Z., Atlanta.
 Rourke, John, Jr., Savannah.

‡ Elected by Association at Annual Meeting, 1915.

† Elected by Executive Committee between Meetings.

GEORGIA-HAWAII TERRITORY-IDAHO.

Russell, R. B., Atlanta.
 Seabrook, Paul E., Savannah.
 Smith, Alexander W., Sr., Atlanta.
 Smith, Burton, Atlanta.
 Smith, John R. L., Macon.
 Smith, O. M., Valdosta.
 Smith, Victor Lamar, Atlanta.
 Speer, Emory, Macon (Mt. Airy).
 Stephens, Alexander W., Atlanta.
 Stephens, William B., Savannah.
 Stevenson, W. A., Commerce.
 Strickland, John J., Athens.
 †Sweat, Joel L., Waycross.
 Thomson, W. D., Atlanta.
 Tye, Benjamin W., Atlanta.
 Tye, John L., Atlanta.
 Tyson, Charles M., Darien.
 Wade, Peyton L., Atlanta.
 Watkins, Edgar (Washington, D. C.),
 Atlanta.
 Way, W. F., Moultrie.
 †Wilkinson, H. A., Dawson.
 Willingham, Wright, Rome.
 Wimblish, William A., Atlanta.
 Wright, Barry, Rome.

HAWAII TERRITORY.

Anderson, Robbins B., Honolulu.
 Carlsmith, Carl Schurz, Hilo.
 Case, Daniel H., Wailuku.
 Castle, Alfred L., Honolulu.
 Castle, William R., Honolulu.
 Clemons, Chas. F., Honolulu.
 Davis, George A., Honolulu.
 Dickey, Lyle A., Lihue.
 Edings, Wm. Seabrook, Wailuku, Maui.
 Greenwell, W. A., Honolulu.
 Hemenway, Charles R., Honolulu.
 Lightfoot, Joseph, Honolulu.
 Lymer, William B., Honolulu.
 Marx, Benjamin L., Honolulu.
 †Milverton, Frederick W., Honolulu.
 Olson, Clarence H., Honolulu.
 Parsons, Charles F., Hilo.
 Robertson, Alex. G. M., Honolulu.
 Robinson, Wm. J., Honolulu.
 Smith, William H., Hilo.
 Smith, William O., Honolulu.
 Thayer, Wade Warren, Honolulu.
 Thompson, Frank E., Honolulu.
 Watson, Edward M., Honolulu.
 Wilder, Arthur A., Honolulu.
 Withington, David L., Honolulu.

IDAHO.

Ailshie, James F., Coeur d'Alene.
 †Arnold, Earl C., Moscow.
 Ayers, George D., Moscow.
 Babb, James E., Lewiston.
 †Babcock, W. A., Twin Falls.
 Batting, W. H., Coeur d'Alene.
 Beale, Charles W., Wallace.
 Becker, John E., Orofino.
 Blaine, Samuel E., Boise.
 Borah, William E. (Washington, D. C.),
 Boise.
 Bothwell, James R., Shoshone.
 Bowen, Arthur M., Twin Falls.
 Budge, Alfred, Boise.
 †Budge, Jesse R. S., Pocatello.
 Burtenshaw, Luther L., Council.
 Butler, Fred E., Lewiston.
 Carter, Pasco B., Boise.
 Cavanah, Charles C., Boise.
 Cavaney, Peter E., Boise.
 Clark, Chase A., Mackay.
 Cox, Eugene A., Lewiston.
 †Davies, John E., Twin Falls.
 Davis, Carl A., Boise.
 DeHaven, James, Grangeville.
 Dietrich, Frank S., Boise.
 Dunn, Robert N., Coeur d'Alene.
 †Edgington, George W., Idaho Falls.
 †Flynn, John M., Sandpoint.
 Fox, Carlton, Wallace.
 Frawley, Edward J., Boise.
 Frechafer, Albert L., Boise.
 Gibson, Claude W., Boise.
 Givens, Raymond L., Boise.
 Gough, Aurelian Bruce, Montpelier.
 †Guheen, John J., Pocatello.
 †Guthrie, W. P., Twin Falls.
 Haga, Oliver O., Boise.
 †Hamer, Thomas R., St. Anthony.
 Hansbrough, G. F., Blackfoot.
 Hasbrouck, Van W., Boise.
 Hattabaugh, M. Reese, Grangeville.
 Hawley, James H., Boise.
 Hawley, Jess B., Boise.
 Hays, Samuel H., Boise.
 Hedrick, Joseph G., Halley.
 Heitman, Charles L., Spirit Lake.
 Johnson, Charles A., Burley.
 Johnson, Henry Z., Boise.
 Johnson, Richard H., Boise.
 Jones, John W., Blackfoot.
 Jones, Thos. J., Boise.
 Kasberg, Alexander, Lewiston.
 Kerna, A. G., Wallace.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

IDAHO-ILLINOIS.

Kessler, Harry, Boise.
 Lamson, George W., Nampa.
 Lee, T. Bailey, Burley.
 Lee, William A., Blackfoot.
 Lingenfelder, C. H., Boise.
 †Lockhart, H. W., Pocatello.
 Lyon, Luther M., Payette.
 McCarthy, Charles P., Boise.
 McClear, James L., Boise.
 McCutcheon, Otto E., Idaho Falls.
 McDougall, D. C., Pocatello.
 Martin, Frank, Boise.
 Martin, Paris, Boise.
 Martin, T. L., Boise.
 Miller, B. H., St. Anthony.
 †Morgan, William M., Moscow.
 Neal, Benjamin F., Boise.
 Oppenheim, Benjamin W., Boise.
 Paine, Karl, Boise.
 Perky, Kirtland L., Boise.
 Potts, C. H., Ocoeur d'Alene.
 Puckett, William H., Boise.
 Reddoch, Charles F., Boise.
 Rhodes, D. L., Idaho City.
 Richards, James H., Boise.
 St. Clair, Clency, Idaho Falls.
 Standrod, D. W., Pocatello.
 Sullivan, Isaac N., Boise.
 Terrell, Robert M., Pocatello.
 Terrell, Thomas F., Pocatello.
 Thompson, Horace B., Salt Lake City.
 Thompson, J. M., Caldwell.
 †VanDuyn, O. M., Caldwell.
 Varian, Bertram S., Weiser.
 †Waldo, H. R., Boise.
 Walters, Edward A., Shoshone.
 Wayne, James A., Wallace.
 †White, E. O., Pocatello.
 †Wise, James H., Twin Falls.
 †Witty, W. H., Pocatello.
 Wood, Fremont, Boise.
 Woods, William W., Wallace.
 Wourms, John H., Wallace.
 Wyman, Harry C., Boise.
 Zimmerman, George F., Emmett.

ILLINOIS.

Abbey, Charles P., Chicago.
 Adams, Elmer H., Chicago.
 Addington, Kenne H., Chicago.
 Adelman, Abram E., Chicago.
 Adler, Sidney, Chicago.
 Ahern, Clinton J., Dwight.
 Alden, W. T., Chicago.
 Allen, Charles L., Chicago.
 Allen, Walter M., Springfield.

Alschuler, Leon S., Chicago.
 Anderson, Ray N., Pittsfield.
 ApMadoc, W. Tudor, Chicago.
 Appell, Albert J. W., Chicago.
 Ashcraft, Raymond, Chicago.
 Austrian, Alfred S., Chicago.
 Baldwin, Henry R., Chicago.
 Baldwin, Jesse A., Chicago.
 Ball, Farlin H., Chicago.
 Bancroft, Edgar A., Chicago.
 Bangs, Frederick A., Chicago.
 Barasa, Bernard P., Chicago.
 Barbour, James J., Chicago.
 Barker, Burt Brown, Chicago.
 Barnes, Albert O., Chicago.
 Barnes, R. M., Lacon.
 Barnett, Otto E., Chicago.
 Bartlett, Charles L., Chicago.
 Bartley, Charles Earle, Chicago.
 Barton, George P., Chicago.
 Beale, William G., Chicago.
 Becker, Benjamin V., Chicago.
 Behan, Louis J., Chicago.
 Bell, Marcus L., Chicago.
 Belt, William O., Chicago.
 Bentley, Cyrus, Chicago.
 Berlet, Robert E., Chicago.
 Best, Ernest O., Chicago.
 Billings, Charles L., Chicago.
 Bishop, James Franklin, Chicago.
 Blake, Freeman K., Chicago.
 Bledsoe, S. T., Chicago.
 Bobb, Dwight S., Chicago.
 Borders, N. W., Chicago.
 Boys, William H., Streator.
 Bradley, Ralph R., Chicago.
 Bradley, Thomas E. D., Chicago.
 Breeding, Ben N., Chicago.
 Brown, Charles A., Chicago.
 Brown, Edward Eagle, Chicago.
 Brown, Edward Osgood, Chicago.
 Brown, Frederick A., Chicago.
 Brown, John B., Monmouth.
 Brown, Stuart, Springfield.
 Brown, Taylor E., Chicago.
 Brundage, Edward J., Chicago.
 Buckingham, George T., Chicago.
 Bulkley, Almon W., Chicago.
 Bundy, William F., Centralia.
 Burke, Edmund W., Chicago.
 Burke, Webster H., Chicago.
 Burkhalter, Robert P., Chicago.
 Burnham, Frederic, Chicago.
 Burnham, Telford, Chicago.
 Burns, James F., Chicago.
 Burroughs, Benjamin R., Edwardsville.

ILLINOIS.

- Burry, William, Chicago.
 Burton, Charles S., Chicago.
 Burton, George W., Peoria.
 Burton, Robert A., Chicago.
 Busby, Leonard A., Chicago.
 Butler, Rush C., Chicago.
 Calhoun, William J., Chicago.
 Cameron, John M., Chicago.
 Capen, Charles L., Bloomington.
 Carpenter, George A., Chicago.
 Carter, Orrin N., Chicago.
 Carton, Alfred T., Chicago.
 Cary, Robert J., Chicago.
 Case, Charles Center, Jr., Chicago.
 Case, William W., Chicago.
 Cassela, Edwin H., Chicago.
 Cavette, Scott Osten, Chicago.
 Chancellor, Justus, Chicago.
 Chandler, Joseph H., Chicago.
 Chapman, Theodore, Chicago.
 Cheedle, J. B., Chicago.
 Cheever, Dwight B., Chicago.
 Childs, Frank Hall, Chicago.
 Chipperfield, B. M., Canton.
 Chipman, George E., Chicago.
 Chitty, William, Chicago.
 Chytraus, Axel, Chicago.
 †Clarke, Henry L., Chicago.
 Cleveland, Chester E., Chicago.
 Clithero, Delbert A., Chicago.
 Comerford, Frank, Chicago.
 Condee, Leander D., Chicago.
 †Condit, J. Sidney, Chicago.
 Condon, James G., Chicago.
 Connell, Joseph A., Chicago.
 Cook, Wells M., Chicago.
 Cooper, Bernard S., Chicago.
 Costigan, George P., Jr., Chicago.
 Cowen, Israel, Chicago.
 Cox, Arthur M., Chicago.
 Crafts, Clayton Edward, Chicago.
 Cratty, Josiah, Chicago.
 Cressy, Morton S., Chicago.
 Crews, Ralph, Chicago.
 Crossley, Frederic B., Chicago.
 Crow, George A., East St. Louis.
 Culver, Morton T., Chicago.
 Cunnea, William A., Chicago.
 Curran, William R., Pekin.
 Cutting, Charles S., Chicago.
 D'Ancona, Edward N., Chicago.
 Daniels, Francis B., Chicago.
 David, Joseph B., Chicago.
 Davis, Brode B., Chicago.
 Davis, J. McCan, Springfield.
 Dawes, Obester M., Chicago.
 Day, Stephen Albion, Chicago.
 Decker, Edward Harris, Urbana.
 Defrees, Joseph H., Chicago.
 Deneen, Charles S., Chicago (Springfield).
 Dent, Louis L., Chicago.
 Dent, Thomas, Chicago.
 Dickinson, J. M., Chicago.
 Dickinson, John R., Chicago.
 Dillon, Martin J., Galena.
 Dillon, William, Chicago.
 Dobyns, Fletcher, Chicago.
 Dolan, Michael D., Chicago.
 Doocy, Edward, Pittsfield.
 Douglass, George L., Chicago.
 †Doyle, Leo J., Chicago.
 Dunlap, Robert, Chicago.
 Dynes, O. W., Chicago.
 Dyrenforth, Philip C., Chicago.
 Dyrenforth, William H., Chicago.
 Early, Albert D., Rockford.
 Eastman, Albert N., Chicago.
 Eastman, Sidney C., Chicago.
 Eaton, Marquis, Chicago.
 Eckhardt, Percy B., Chicago.
 Eddy, Arthur J., Chicago.
 Eheim, August W., Chicago.
 Ehle, Louis C., Chicago.
 Elder, Charles B., Chicago.
 Elliott, Robert L., Chicago.
 Elting, Victor, Chicago.
 English, Lee F., Chicago.
 Erickson, Alfred O., Chicago.
 Ettelson, Samuel A., Chicago.
 Evans, John T., Chicago.
 Evans, Lynden, Chicago.
 Everett, Edward W., Chicago.
 Faisler, John, Sycamore.
 Farwell, John C., Chicago.
 Fassett, Eugene G., Chicago.
 Felsenthal, Eli B., Chicago.
 Fergus, Robert C., Chicago.
 Ferguson, Elbert C., Chicago.
 Fernald, Gustavus S., Chicago.
 Field, Heman H., Chicago.
 Fisher, Geo. P., Jr., Chicago.
 Fisk, R. W., Ridgeland.
 Fletcher, Robert V., Chicago.
 Flexner, Bernard, Chicago.
 Foell, Charles M., Chicago.
 Fogle, John L., Chicago.
 Follansbee, George A., Chicago.
 Follansbee, Mitchell D., Chicago.
 Polonie, Robert J., Chicago.
 Fordham, Albert C., Chicago.
 Foreman, Milton J., Chicago.
 Foster, Frank, Chicago.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

ILLINOIS.

Foster, Stephen A., Chicago.
 Frank, Robert J., Chicago.
 Freeman, Charles Y., Chicago.
 French, Burton L., Chicago.
 Freund, Ernst, Chicago.
 Frost, E. Allen, Chicago.
 Fullerton, William D., Ottawa.
 Fyffe, Colin O. H., Chicago.
 Gallagher, Michael F., Chicago.
 Gallery, Daniel V., Chicago.
 Gardner, C. P., Mendota.
 Gartside, John M., Chicago.
 Gavin, Richard L., Chicago.
 Gibbons, John, Chicago.
 Goodyear, A. F., Watseka.
 Graves, Frank P., Chicago.
 Greeley, Louis M., Chicago.
 Green, Frederick, Urbana.
 Green, Henry I., Urbana.
 Greenacre, Isaiah T., Chicago.
 Gregory, Stephen S., Chicago.
 Gresham, Otto, Chicago.
 Griddle, Martin M., Chicago.
 Grosscup, Peter S., Chicago.
 Guerin, M. Henry, Chicago.
 Guerin, Mark E., Chicago.
 Gurley, Wm. W., Chicago.
 Hagan, Henry M., Chicago.
 Halbert, Wm. U., Belleville.
 Hall, James Parker, Chicago.
 Hamill, Charles E., Chicago.
 Hamlin, Frank, Chicago.
 Harding, Charles F., Chicago.
 Harker, Oliver A., Champaign.
 Harlan, John Maynard, Chicago.
 Harley, Herbert, Chicago.
 Harnwell, Frederick W., Chicago.
 Harper, Samuel A., Chicago.
 Harpham, Edwin L., Chicago.
 Harrold, James P., Chicago.
 Hart, Louis E., Chicago.
 Hay, Logan, Springfield.
 Hayes, John B., Rochelle.
 Healy, John J., Chicago.
 Hebard, Frederic S., Chicago.
 Henning, Robert, Fairbury.
 Herrick, John J., Chicago.
 Higbee, Harry, Pittsfield.
 Higinbotham, H. M., Chicago.
 Hill, John W., Chicago.
 Hinton, Edward W., Chicago.
 Hitt, Rector C., Ottawa.
 Hoag, Parker H., Chicago.
 Hogan, John E., Taylorville.
 Holdom, Jesse, Chicago.
 †Hollen, Richard H., Chicago.
 Hopkins, Albert J., Chicago.

Horner, Henry, Chicago.
 Housum, Hugh W., Decatur.
 Howe, Thomas Francis, Chicago.
 Hoyne, Thomas M., Chicago.
 Humburg, Andrew P., Chicago.
 Hummeland, Andrew, Chicago.
 Hummer, John S., Chicago.
 Hunter, William R., Kankakee.
 Hurd, Harry B., Chicago.
 Hutchins, James O., Chicago.
 Hyde, Charles C., Chicago.
 Hyde, James W., Chicago.
 Hyzer, E. M., Chicago.
 Ickes, Harold L., Chicago.
 Irving, Samuel Crozier, Chicago.
 Ives, Morse, Chicago.
 Jackson, John L., Chicago.
 †Jacobs, Walter H., Chicago.
 Jarrett, Delta I., Chicago.
 Jennings, Everett, Chicago.
 Johnstone, F. B., Chicago.
 Jones, W. Clyde, Chicago.
 Judah, Noble E., Chicago.
 Judah, Noble B., Jr., Chicago.
 Junkin, Francis T. A., Chicago.
 Kannally, Michael V., Chicago.
 Kaplan, Nathan D., Chicago.
 Keedy, Edwin R., Chicago.
 Keehn, Roy D., Chicago.
 Kehoe, John E., Chicago.
 Kelly, George Thomas, Chicago.
 Kelly, James J., Chicago.
 Kelly, John J. M., Chicago.
 Kerr, Robert J., Chicago.
 Kersten, George, Chicago.
 Kerz, Paul, Galena.
 Kimball, B. F., Chicago.
 King, Samuel B., Chicago.
 Kirk, Walter H., Peoria.
 Kline, Julius Reynolds, Chicago.
 Kocourek, Albert, Chicago.
 Koepke, Charles A., Chicago.
 Kompel, Morris, Chicago.
 Kramer, Edward C., East St. Louis.
 Kriete, Frank L., Chicago.
 Kriete, George H., Chicago.
 Kropf, Oscar A., Chicago.
 Kuebler, George J., Chicago.
 Lackey, George W., Lawrenceville.
 Lackner, Francis, Chicago.
 Lamb, William E., Chicago.
 Lane, Wallace R., Chicago.
 †Larkin, Robert E., Streator.
 Latham, Carl R., Chicago.
 Lathrop, Gardiner, Chicago.
 Lawrence, George A., Galesburg.

† Elected by Executive Committee between Meetings.

ILLINOIS.

- Leach, Thomas A., Chicago.
 Lebosky, Jacob C., Chicago.
 Lee, Blewett, Chicago.
 Lee, Edward T., Chicago.
 Levin, Jacob, Chicago.
 Levinson, Salmon O., Chicago.
 Lewis, J. Hamilton, Chicago.
 Lindley, Frank, Danville.
 Lindley, Walter C., Danville.
 Linthicum, Charles C., Chicago.
 Loesch, Frank J., Chicago.
 Long, Theodore K., Chicago.
 Lord, Charles E., Chicago.
 Lord, Frank E., Chicago.
 Lord, John S., Chicago.
 Lowden, Frank O., Oregon.
 Lowy, Charles F., Chicago.
 Lucey, Patrick J., Springfield.
 Lyford, Will H., Chicago.
 Lynde, Cornelius, Chicago.
 McCordic, Alfred E., Chicago.
 McCormick, Robert H., Jr., Chicago.
 McEwen, Willard M., Chicago.
 McGoorty, John P., Chicago.
 McIlvaine, Alan C., Chicago.
 McKenzie, John C., Elizabeth.
 McKeown, John A., Chicago.
 McKinney, Hayes, Chicago.
 McMurdy, Robert, Chicago.
 McSurely, William H., Chicago.
 MacChesney, Nathan William, Chicago.
 Mack, Julian W., Chicago.
 Mackay, Henry, Mount Carroll.
 MacLesh, John E., Chicago.
 Magee, Henry W., Chicago.
 Maher, James, Chicago.
 Mahony, Charles L., Chicago.
 Mains, Frederick, Chicago.
 Manierre, George W., Chicago.
 Mansfield, Henry, Peoria.
 Marso, Michael, Chicago.
 Marston, Thomas B., Chicago.
 Martin, Amos W., Chicago.
 Martin, Horace H., Chicago.
 Marx, Frederick Z., Chicago.
 Mason, Roswell B., Chicago.
 Matheny, James H., Springfield.
 Mats, Rudolph, Chicago.
 Mayer, Levy, Chicago.
 Meagher, James F., Chicago.
 Mecartney, Harry S., Chicago.
 Mecham, John Barton, Joliet.
 Mechem, Floyd R., Chicago.
 Mehlhope, Clarence E., Chicago.
 Mergentheim, Morton A., Chicago.
 Merrick, George Peck, Chicago.
 Meyer, Abraham, Chicago.
 Meyer, Carl, Chicago.
 Miles, Charles V., Peoria.
 Miller, Henry G., Chicago.
 Miller, John S., Chicago.
 Mills, Allen G., Chicago.
 Mills, Walter H., Decatur.
 Montgomery, John R., Chicago.
 Moore, Frederick W., Chicago.
 More, Clair E., Chicago.
 More, R. Wilson, Chicago.
 Morrill, Donald L., Chicago.
 Morris, Henry C., Chicago.
 Morse, Charles F., Chicago.
 Moses, Joseph W., Chicago.
 Moss, William R., Chicago.
 Mosser, Edwin J., Chicago.
 Murray, Patrick F., Chicago.
 Muagrave, Harrison, Chicago.
 Nelger, J. J., Virginia.
 Newcomb, George Eddy, Chicago.
 Newman, Jacob, Chicago.
 Newton, Charles E. M., Chicago.
 Niblack, William O., Chicago.
 Nichols, Warren, Chicago.
 Northcott, Wm. A., Springfield.
 Norton, T. J., Chicago.
 O'Connor, Charles J., Chicago.
 O'Connor, John, Chicago.
 Octigan, Thomas P., Chicago.
 O'Donnell, James L., Joliet.
 O'Donnell, Joseph A., Chicago.
 Offield, Charles K., Chicago.
 O'Hare, Thomas J., Chicago.
 O'Harra, Apollos W., Carthage.
 O'Keeffe, P. J., Chicago.
 Olson, Harry, Chicago.
 O'Meara, C. S., Chicago.
 Orr, Louis T., Chicago.
 Packard, George, Chicago.
 Paden, Joseph E., Chicago.
 Page, Cecil, Chicago.
 Page, George T., Peoria.
 †Pam, Hugo, Chicago.
 Pam, Max, Chicago.
 Parker, Francis W., Chicago.
 Parker, Lewis W., Chicago.
 Parker, Woodruff J., Chicago.
 Parkinson, Robert H., Chicago.
 Payne, John Barton, Chicago.
 Peabody, Augustus S., Chicago.
 Peaks, George H., Chicago.
 Pearsons, Harry P., Chicago.
 Peck, George R., Chicago.
 Peck, Ralph L., Chicago.
 Peden, Thomas J., Chicago.

† Elected by Executive Committee between Meetings.

ILLINOIS.

- Peek, Burton F., Molina.
 Pendarvis, Robert E., Chicago.
 Penwell, Fred B., Danville.
 Peterson, James A., Chicago.
 Petit, Adelor J., Chicago.
 Pfau, Abraham J., Chicago.
 Phillips, M. C., Chicago.
 Pinckney, Merritt W., Chicago.
 Pinderski, Louis, Chicago.
 Pingrey, Darius H., Highland Park.
 Plain, Frank G., Aurora.
 Pollack, Sidney S., Chicago.
 Poppenhusen, Conrad H., Chicago.
 Post, Philip S., Chicago.
 Powell, Charles L., Chicago.
 Prinderville, Thos. W., Chicago.
 Prindiville, John K., Chicago.
 Prussing, Eugene E., Chicago.
 Quinn, Frank J., Peoria.
 Raftree, Matthias L., Chicago.
 Rathbone, Henry R., Chicago.
 Reardon, William J., Pekin.
 Rearick, George F., Danville.
 Rector, Edward, Chicago.
 Reed, Frank F., Chicago.
 Reed, John P., Chicago.
 Reed, William L., Chicago.
 Reynolds, Asa Q., Chicago.
 Richards, John T., Chicago.
 Richberg, Donald E., Chicago.
 Richberg, John C., Chicago.
 Richmann, Alex. F., Chicago.
 Rider, George C., Pekin.
 Ritchie, William, Chicago.
 Robbins, Henry S., Chicago.
 Rockhold, Frank A., Chicago.
 Roe, William, Farmington.
 Rogan, William A., Chicago.
 Rogers, Edward S., Chicago.
 Rooney, Thos. Edward, Chicago.
 Rose, Charles G., Chicago.
 Rose, John A., Chicago.
 Rosenbaum, M. I., Chicago.
 Rosenthal, James, Chicago.
 Rosenthal, Lessing, Chicago.
 Ross, Walter W., Chicago.
 Rothmann, William, Chicago.
 Rubens, Harry, Chicago.
 Rummier, William R., Chicago.
 Runnells, John S., Chicago.
 Ryan, Andrew J., Chicago.
 Ryden, Otto G., Chicago.
 Ryon, Oscar B., Streator.
 Sabbath, Joseph, Chicago.
 Sauter, L. E., Chicago.
 Sawyer, Carlos P., Chicago.
 Scandrett, Henry A., Chicago.
 Schaffner, Arthur B., Chicago.
 Schlesinger, Elmer, Chicago.
 Schofield, Henry, Chicago.
 Scott, Frank H., Chicago.
 Scott, B. B., Chicago.
 Sears, Nathaniel C., Chicago.
 See, Cornelius S., Chicago.
 Shabad, Henry M., Chicago.
 Sheean, David, Galena.
 Sheean, Frank T., Galena.
 Sheean, James M., Chicago.
 Sheean, Thomas J., Galena.
 Shepard, Frank L., Chicago.
 Shepard, Stuart G., Chicago.
 Sheridan, Thomas F., Chicago.
 Sheriff, Andrew R., Chicago.
 Shulman, Max, Chicago.
 Sidley, William P., Chicago.
 Silber, Clarence J., Chicago.
 Silber, Frederick D., Chicago.
 Sims, Edwin W., Chicago.
 Siqueland, Trygve A., Chicago.
 Smith, Frederick A., Chicago.
 Smith, Walter Bourne, Chicago.
 Smoot, Harry E., Chicago.
 Smyser, Nathan S., Chicago.
 †Stafford, Charles B., Chicago.
 Stapleton, Wm. J., Chicago.
 Starr, Merritt, Chicago.
 Stebbins, Lewis A., Chicago.
 Stalk, John, Chicago.
 Stephens, R. Allen, Danville.
 Stephens, Redmond D., Chicago.
 Stevens, George M., Chicago.
 Stewart, Robert W., Chicago.
 Stillman, Herman W., Chicago.
 Straus, Simeon, Chicago.
 Strawn, Lester H., Ottawa.
 Strawn, Silas H., Chicago.
 Swett, Frank W., Chicago.
 Tallmadge, C. Paul, Chicago.
 Taylor, Leslie J., Taylorville.
 †Taylor, Orville J., Jr., Chicago.
 Taylor, Thomas, Jr., Chicago.
 Tecklenburg, F. J., Belleville.
 Teller, Carroll A., Chicago.
 Tenney, Horace Kent, Chicago.
 Thomas, Morris St. Palais, Chicago.
 Thomason, Frank D., Chicago.
 Thomason, Samuel Emory, Chicago.
 Thornton, Charles S., Chicago.
 Tivnen, Bryan H., Mattoon.
 Tolman, Edgar B., Chicago.
 Toolen, Clarence A., Chicago.

ILLINOIS-INDIANA.

Topliff, Samuel, Chicago.
 Torrison, Oscar M., Chicago.
 Towle, Henry S., Chicago.
 Triaka, Joseph F., Chicago.
 Troup, Charles, Danville.
 Trude, Daniel P., Chicago.
 Trumbull, Donald S., Chicago.
 Tyrrell, John F., Chicago.
 Underwood, George W., Chicago.
 Urion, Alfred R., Chicago.
 Veeder, Henry, Chicago.
 Velde, Franklin L., Pekin.
 Voigt, John F., Chicago.
 Vose, Frederic Perry, Chicago.
 Vroman, Charles E., Chicago.
 Walt, Horatio Loomis, Chicago.
 Wall, George W., Du Quoin.
 Walsh, Martin, Chicago.
 Walter, Luther M., Chicago.
 Washburn, William D., Chicago.
 Weber, Harry P., Chicago.
 Weinfeld, Charles, Chicago.
 Welssensbach, Joseph, Chicago.
 Welch, Albert G., Chicago.
 Welsh, William S., Chicago.
 Wells, Hosea W., Chicago.
 Welsh, J. D., Galesburg.
 Wentworth, Daniel S., Chicago.
 West, Roy O., Chicago.
 Wetten, Emil C., Chicago.
 Wheelock, William W., Chicago.
 Whitman, Russell, Chicago.
 Whitney, Max H., Chicago.
 Wigmore, John H., Chicago.
 Wilkerson, James H., Chicago.
 Williams, E. P., Galesburg.
 Wilson, Wm. T., Jacksonville.
 Windes, Thomas G., Chicago.
 Winston, Garrard B., Chicago.
 †Winston, James H., Chicago.
 Wisner, Carl V., Chicago.
 Wolf, Henry Milton, Chicago.
 Wolff, Oscar M., Chicago.
 Wormser, Leo F., Chicago.
 Worthington, Thomas, Jacksonville.
 Wright, Carl C., Chicago.
 Wright, Francis M., Urbana.
 Wright, Wm. B., Effingham.
 Zane, John M., Chicago.
 Zeisler, Sigmund, Chicago.
 Zillman, Christian C. H., Chicago.

INDIANA.

Amsden, Wm. M. Marion.
 Ashby, Samuel, Indianapolis.
 Baker, Charles S., Columbus.

Bamberger, Ralph, Indianapolis.
 Barrett, Fred Eugene, Indianapolis.
 Barrett, James M., Fort Wayne.
 Bartholomew, Pliny W., Indianapolis.
 Bastian, Willits A., Indianapolis.
 Batchelor, George H., Indianapolis.
 Beal, Fred W., Terre Haute.
 Beck, William S., Indianapolis.
 Beeler, Wm. H., Bloomington.
 Bell, Joseph E., Indianapolis.
 Bingham, James, Indianapolis.
 Bomberger, Loudon L., Hammond.
 Bracken, Leonidas L., Muncie.
 Brady, Arthur W., Anderson.
 Breen, William P., Fort Wayne.
 Browne, John R., Marion.
 Burnett, Charles A., Lafayette.
 Butler, Noble C., Indianapolis.
 Clapham, William E., Fort Wayne.
 Cockrum, John B., Indianapolis.
 Collins, Cornelius R., Michigan City.
 Collins, Edgar G., Lafayette.
 Conder, Earl R., Indianapolis.
 Condo, Gus S., Marion.
 Cook, Samuel E., Huntington.
 Cooper, James A., Jr., Terre Haute.
 Cox, Charles E., Indianapolis.
 Cunningham, George A., Evansville.
 Daniels, Edward, Indianapolis.
 Darroch, William, Kentland.
 Davidson, Robert F., Indianapolis.
 Davidson, Thomas E., Greensburg.
 Davis, Sydney B., Terre Haute.
 Elliott, William F., Indianapolis.
 Evans, Rowland, Indianapolis.
 Fairbanks, Charles W., Indianapolis.
 Feightner, Milo N., Huntington.
 Fealer, James William, Indianapolis.
 Forkner, George, New Castle.
 Fraser, Daniel, Fowler.
 Frey, Philip W., Evansville.
 Gardner, Alonzo M., Richmond.
 Gavin, Frank E., Indianapolis.
 Gavin, James L., Indianapolis.
 Gavit, John A., Hammond.
 Gifford, George H., Tipton.
 Hammond, Edwin P., Lafayette.
 Hanan, John W., La Grange.
 Hawkins, Roscoe O., Indianapolis.
 Haymond, William T., Muncie.
 Haywood, George P., Lafayette.
 Hepburn, Charles M., Bloomington.
 Herron, Joseph C., Kokomo.
 Hogate, Enoch G., Bloomington.
 Holman, George Wilson, Rochester.

† Elected by Executive Committee between Meetings.

INDIANA-IOWA.

Hood, Arthur M., Indianapolis.
 Hooton, Elliott R., Indianapolis.
 Hornbrook, Henry H., Indianapolis.
 Hugg, Martin M., Indianapolis.
 Jewett, Charles L., New Albany.
 Jones, Clyde H., Crawfordsville.
 Joss, Frederick A., Indianapolis.
 Keith, Ernest R., Indianapolis.
 Kelley, William H., Richmond.
 Kern, John W. (Washington, D. C.), Indianapolis.
 Ketcham, William A., Indianapolis.
 Kiplinger, John E., Bushville.
 Kitch, John W., South Bend.
 Koona, George H., Muncie.
 Kraus, Milton, Peru.
 Landers, Howe S., Indianapolis.
 Littleton, Frank L., Indianapolis.
 Lockwood, Virgil H., Indianapolis.
 McBride, Robert W., Indianapolis.
 Martindale, Charles, Indianapolis.
 Meyer, Louis A., Vincennes.
 Miller, Charles W., Indianapolis.
 Miller, Samuel D., Indianapolis.
 Montgomery, Oscar H., Seymour.
 Moores, Charles W., Indianapolis.
 Moores, Merrill, Indianapolis.
 Moran, D. J., Hammond.
 Morris, John, Fort Wayne.
 Morris, Samuel L., Jr., Fort Wayne.
 Myers, Quincy A., Indianapolis.
 Newberger, Louis, Indianapolis.
 Nieser, Charles M., Fort Wayne.
 Noel, James W., Indianapolis.
 Palmer, Truman F., Monticello.
 Parker, Samuel, South Bend.
 Pickens, Samuel O., Indianapolis.
 Pickens, William A., Indianapolis.
 Randolph, Edgar D., Lafayette.
 Ross, George Ewing, Logansport.
 Rupe, John L., Richmond.
 Salisbury, Elias D., Indianapolis.
 Saylor, Samuel M., Huntington.
 Schoonover, Isaac E., Covington.
 Sedwick, John E., Martinsville.
 Sellers, Emory B., Monticello.
 Sheridan, Harry C., Frankfort.
 Shirley, C. C., Indianapolis.
 Shiveley, Chas. E., Richmond.
 Simms, Dan W., Lafayette.
 Smith, Charles W., Indianapolis.
 Spencer, Charles C., Monticello.
 Sproat, E. G., Hammond.
 Stevenson, Elmer E., Indianapolis.
 Stuart, Allison E., Lafayette.
 Stuart, William V., Lafayette.

Taylor, Harold, Indianapolis.
 Taylor, R. S., Fort Wayne.
 Teegarden, John C., Anderson.
 Tutthill, Harry B., Michigan City.
 Walker, Henry B., Evansville.
 Watkins, C. W., Huntington.
 Wickens, Hugh, Greensburg.
 Williams, David P., Indianapolis.
 Williams, John G., Indianapolis.
 Wolf, Conrad, Kokomo.
 Wood, Sol A., Fort Wayne.
 Woollen, Wm. Watson, Indianapolis.

IOWA.

Bailey, Marsh W., Washington.
 Baillie, A. D., Storm Lake.
 Baldwin, W. W., Burlington.
 Ball, George W., Jr., Iowa City.
 Balluff, Walter M., Davenport.
 Barner, George S., Webster City.
 †Beyer, Harold L., Grinnell.
 Bollinger, James Willis, Davenport.
 Bray, Thomas J., Grinnell.
 Brockett, Orlando Mitchell, Des Moines.
 Bush, F. C., Osage.
 Canaday, Walter, Ames.
 Carr, E. M., Manchester.
 Cavanagh, B. J., Des Moines.
 Collins, W. B., Keokuk.
 Cosson, George, Des Moines.
 Craig, John E., Keokuk.
 Crosby, Samuel H., Grinnell.
 †Cross, J. E., Newton.
 Cummins, Albert B. (Washington, D. C.), Des Moines.
 Dale, Horatio F., Des Moines.
 Davis, James C., Des Moines.
 Davis, Walter M., Iowa City.
 Deemer, Horace E., Red Oak.
 Deery, John, Dubuque.
 Devitt, John F., Muscatine.
 Dorn, Clinton R., Des Moines.
 Dudley, Charles A., Des Moines.
 Dutcher, Charles M., Iowa City.
 Evans, William D., Hampton.
 Ferson, Merton L., Iowa City.
 Flickinger, Isaac N., Council Bluffs.
 Flynn, Leo J., Dubuque.
 †French, Nathaniel, Davenport.
 Griffiths, E. W., Marion.
 †Hamilton, D. W., Sigourney.
 Hamilton, Wm. Scott, Fort Madison.
 Harding, W. L., Sioux City.
 Hart, W. R., Iowa City.
 Harvison, William G., Des Moines.
 Henry, George F., Des Moines.

† Elected by Executive Committee between Meetings.

IOWA-KANSAS.

- Holsman, Henry B., Guthrie Center.
 Horack, H. C., Iowa City.
 Hughes, Clinton B., West Union.
 †Hume, James C., Des Moines.
 Jackson, William M., Bedford.
 Jennings, G. B., Shenandoah.
 Kelleher, D. M., Fort Dodge.
 Kennedy, J. L., Sioux City.
 Killpack, W. H., Council Bluffs.
 Kingland, Thomas A., Lake Mills.
 Kirk, Clyde, Des Moines.
 †Korf, K. C., Newton.
 Lane, Wilfred C., Des Moines.
 Lee, Chaucer G., Ames.
 Lenehan, Daniel J., Dubuque.
 †Lewis, W. R., Montezuma.
 Lyon, Arthur C., Grinnell.
 McConlogue, James H., Des Moines (Ma-
 son City).
 McCoy, E. H., Waterloo.
 McPherson, Smith, Red Oak.
 Maine, A. E., Iowa City.
 Martin, Wesley, Webster City.
 Mayne, George H., Council Bluffs.
 Milchrist, William, Sioux City.
 Miller, William Emory, Des Moines.
 Mitchell, W. E., Council Bluffs.
 Moffit, John T., Tipton.
 Moore, William F., Guthrie Center.
 Murphy, Daniel D., Elkader.
 Myers, Oliver P., Newton.
 Norris, William H., Manchester.
 Morrison, Edmund D., Washington.
 Nourse, Clinton L., Des Moines.
 Parker, Addison M., Des Moines.
 Parrish, James L., Des Moines.
 Pergler, Charles, Cresco.
 Pickett, C. E., Waterloo.
 Porter, Claude R., Centerville.
 Preston, A. L., Avoca.
 Preston, Byron W., Des Moines.
 Reed, Carl W., Cresco.
 Reed, H. T., Cresco.
 Roberts, William J., Keokuk.
 Rockafellow, J. B., Atlantic.
 †Salmon, E. J., Newton.
 Sampson, Henry E., Des Moines.
 Sargent, F. W., Des Moines.
 Saunders, C. G., Council Bluffs.
 Sawyer, Hazen I., Keokuk.
 Seever, George W., Oskaloosa.
 †Sheriff, H. H., Oskaloosa.
 Sherwin, John C., Mason City.
 Shiras, Oliver P., Dubuque.
 Shull, Deloss C., Sioux City.
 Silwold, Henry, Newton.
- Sims, Jacob, Denison.
 Smith, Earl, Mason City.
 Smith, Walter I., Council Bluffs.
 Soper, Erasmus B., Emmetaburg.
 Stewart, A. K., Des Moines.
 Stewart, George B., Fort Madison.
 Stewart, J. J., Council Bluffs.
 Stillman, Walter S. (Omaha, Neb.),
 Council Bluffs.
 Strauss, Oscar, Des Moines.
 Swetting, Ernest V., Algona.
 Swisher, B. F., Waterloo.
 Tabor, Ira R., Davenport.
 Thorne, Olifford, Des Moines.
 †Timberman, William, Keokuk.
 Tinley, Emmet, Council Bluffs.
 Towner, H. M., Corning.
 Underwood, George A., Ames.
 Van Law, C. H., Marshalltown.
 Wade, M. J., Iowa City.
 Walker, Henry G., Iowa City.
 Walker, W. M., Keosauqua.
 Wallingford, John D., Des Moines.
 Walsh, Mark A., Clinton.
 Weaver, James B., Jr., Des Moines.
 Weaver, Silas M., Iowa Falls.
 Whitmore, Chester W., Ottumwa.
 Wilcox, Elmer A., Iowa City.
 †Wilson, C. J., Washington.
 †Wisdom, Frank, Bedford.
 Wisler, E. A., Carroll.
 Wright, George S., Council Bluffs.
 Zink, Townsend M., Le Mars.

KANSAS.

- Alden, Maurice L., Kansas City.
 Allen, Stephen H., Topeka.
 Anderson, Roland Max, Beloit.
 †Anderson, Wallace H., Iola.
 Archer, W. E., Hiawatha.
 Benson, Alfred W., Topeka.
 Berger, Albert L., Kansas City.
 Blair, R. W., Topeka.
 Bowman, Harry C., Topeka.
 Bowman, Noah L., Garnett.
 Branine, Ezra, Newton.
 †Brewster, Samuel C., Chanute.
 Brooks, C. H., Wichita.
 †Brown, Schell C., Chanute.
 Brown, W. W., Parsons.
 Bryant, C. J., Independence.
 †Bucher, C. S., Coffeyville.
 Burdick, William Livesey, Lawrence.
 Campbell, Altes H., Iola.
 Campbell, J. J., Pittsburg.
 Campbell, P. P., Pittsburg.
 Carey, Joseph G., Wichita.

KANSAS.

- Carter, L. O., Kansas City.
 Clark, Elmer C., Oswego.
 †Cline, William R., Erie.
 Clingman, Ord, Lawrence.
 †Cridler, John H., Fort Scott.
 Crowley, Clarence A., Council Grove.
 Curran, A. J., Pittsburg.
 Curran, John P., Pittsburg.
 Curtis, Charles, Topeka.
 Damsler, C. F. W., Leavenworth.
 Davis, John W., Greensburg.
 Dawson, John S., Topeka.
 Dean, John S., Topeka.
 †Dennison, C. S., Pittsburgh.
 †Dillard, W. P., Fort Scott.
 †Dunbarr, J. M., Columbus.
 Elsc, N. C., Osborne.
 †Eming, Henry A., Iola.
 Evans, Earl W., Wichita.
 †Evans, Thomas R., Chanute.
 †Farrelly, Hugh P., Chanute.
 †Faust, Oscar, Iola.
 Ferry, L. S., Topeka.
 Field, Seward I., Medicine Lodge.
 †Finley, James W., Chanute.
 Gaitskill, Bennett S., Girard.
 †Gard, G. R., Iola.
 †Gard, Samuel A., Iola.
 Gates, Edward C., Fort Scott.
 Glead, James Willis, Topeka.
 Green, J. W., Lawrence.
 Hamer, R. M., Emporia.
 Harvey, A. M., Topeka.
 Higgins, William E., Lawrence.
 Hite, D. R., Topeka.
 †Hogueland, W. E., Yates Center.
 Hook, William C., Leavenworth.
 Houston, J. D., Wichita.
 †Hulet, C. E., Fort Scott.
 Humphrey, James V., Junction City.
 Hutchison, William Easton, Garden City.
 †Hyatt, W. S., Parsons.
 Johnson, Frank O., McPherson.
 Jones, H. Llewelyn, Meade.
 Jones, Howell, Topeka.
 Jones, John J., Chanute.
 Kagey, C. L., Beloit.
 Lafferty, Joseph T., Winfield.
 †Lamb, G. H., Yates Center.
 †Lamer, J. M., Iola.
 †Lardner, Hubert, Fort Scott.
 Larimer, Jeremiah B., Topeka.
 Lobdell, Charles E., Great Bend.
 Long, Chester L., Wichita.
 McNany, Edwin S., Kansas City.
 †McClain, Baxter D., Iola.
 McClintock, W. S., Topeka.
 MacFarland, Hugh, Topeka.
 †Madden, John, Parsons.
 Magaw, Charles A., Topeka.
 †Malcomb, George R., Pittsburg.
 Martin, F. L., Hutchinson.
 Mason, Henry F., Topeka. (Garden City.)
 Montgomery, William P., Topeka.
 Moore, McCabe, Kansas City.
 †Morrison, Thomas F., Chanute.
 Mulvane, David W., Topeka.
 Noftzger, Thomas A., Wichita.
 Orr, James W., Atchison.
 Osborn, O. O., Stockton.
 Osmond, William, Great Bend.
 Oyler, F. J., Iola.
 †Padgett, W. W., Fort Scott.
 Pollock, John C., Kansas City.
 Porter, Silas, Topeka.
 Pulfifer, Park B., Concordia.
 Quinton, A. B., Topeka.
 Redmond, William W., Marysville.
 Robertson, Fred, Topeka.
 Ruppenthal, Jacob C., Russell.
 †Ryan, W. H., Girard.
 †Sapp, W. F., Galena.
 †Schoonover, Manford, Garnett.
 †Sheppard, Jacob I., Fort Scott.
 †Sheppard, James G., Fort Scott.
 Sheridan, Frank M., Paola.
 Simmons, J. S., Hutchinson.
 Slonecker, J. G., Topeka.
 †Smart, C. A., Ottawa.
 Smith, Charles Blood, Topeka.
 Smith, Charles W., Topeka.
 †Smith, Ross P., Chanute.
 †Stephenson, George R., Yates Center.
 Stone, Robert, Topeka.
 Switzer, John F., Topeka.
 Taggart, E. J., Wellington.
 †Taylor, James S., Iola.
 †Thompson, Wm. H., Garden City.
 Tomlinson, Joseph B., Independence.
 Waggener, Balie P., Atchison.
 Waggener, William P., Atchison.
 Walker, Paul E., Topeka.
 Walker, Stephen L., Columbus.
 Waters, Joseph G., Topeka.
 West, Judson S., Topeka.
 †Wheeler, E. D., Pittsburg.
 Williams, Al F., Columbus.
 Williams, Frank L., Clay Center.
 Winship, Blanton, Fort Leavenworth.

† Elected by Executive Committee between Meetings.

KENTUCKY.

KENTUCKY.

Allen, John R., Lexington.
 Allen, Lafon, Louisville.
 Anderson, Thornwell G., Middlesboro.
 Apperson, Lewis, Mt. Sterling.
 Attkisson, Eugene R., Louisville.
 Auxier, Andrew E., Pikeville.
 Ayres, William, Pineville.
 Bagby, C. O., Danville.
 Baskin, John B., Louisville.
 Beckley, Pendleton, Louisville.
 Bensinger, Arthur B., Louisville.
 Berry, W. Alvin, Paducah.
 Bingham, Robert W., Louisville.
 Booth, Percy N., Louisville.
 Bradshaw, William Francis, Jr., Paducah.
 Browder, Wilbur F., Russellville.
 Brown, Eli Huston, Frankfort.
 Browning, Le Wright, Maysville.
 Bruce, Helm, Louisville.
 Bullitt, William Marshall, Louisville.
 Burnett, Henry, Louisville.
 Calhoun, C. C. (Washington, D. C.), Lexington.
 Calvert, Cleon K., Hyden.
 Carroll, A. J., Louisville.
 Clay, Wm. Rogers, Frankfort.
 Cochran, Andrew M. J., Maysville.
 Cochran, William D., Maysville.
 Cox, Attila, Jr., Louisville.
 Cox, William J., Madisonville.
 Crawford, William W., Louisville.
 Dale, W. Pratt, Louisville.
 Davis, William O., Versailles.
 Davis, William T., Pineville.
 Doolan, John C., Louisville.
 †Duffin, James R., Louisville.
 Dundon, Denis, Paris.
 Dynard, H. R., Ashland.
 Eaton, William V., Paducah.
 Eaves, St. Clair, Greenville.
 Edelen, T. L., Frankfort.
 Edwards, Davis W., Louisville.
 Ernst, Richard P., Covington (Cincinnati, O.).
 Evans, Walter, Louisville.
 Field, William H., Louisville.
 Gates, John Calhoun, Princeton.
 Gordon, Maurice Kirby, Madisonville.
 Grassham, C. C., Paducah.
 Grubbs, Charles S., Louisville.
 Hager, John F., Ashland.
 Harkins, Walter S., Prestonsburg.
 Harman, Thomas H., Pikeville.
 Haswell, John P., Jr., Louisville.
 Heatt, Clarence C., Louisville.

Hines Edward W., Louisville (Washington, D. C.).
 Hobbs, W. C. G., Lexington.
 Hopkins, Arthur E., Louisville.
 Hughes, D. H., Paducah.
 Humphrey, Alexander P., Louisville.
 Hutchinson, E. L., Lexington.
 Jeffries, James H., Pineville.
 Jonson, Jerrold A., Madisonville.
 Jouett, Edward S., Louisville.
 Kendrick, M. B., Louisville.
 Kohn, Aaron, Louisville.
 Lewis, William, London.
 McCoy, W. R., Inez.
 McDermott, Edward J., Louisville.
 McDonald, Edward L., Louisville.
 Mackoy, H. B., Covington (Cincinnati, O.).
 Mackoy, W. H., Covington (Cincinnati, O.).
 Macpherson, Ernest, Louisville.
 Malin, Proctor K., Ashland.
 Marshall, Burwell Keith, Louisville.
 Martin, George B., Catlettsburg.
 Metcalf, Charles W., Pineville.
 Middleton, Charles G., Louisville.
 Mocquot, James Denis, Paducah.
 Norman, J. V., Louisville.
 Patterson, Newton Reid, Pineville.
 Pennebaker, Elliott K., Louisville.
 Pirtle, James S., Louisville.
 Prewitt, Henry R., Mt. Sterling.
 Quarles, James, Louisville.
 Ray, Charles T., Louisville.
 Reed, William M., Paducah.
 Robbins, Josephus Ewing, Mayfield.
 Rouse, Shelley D., Covington.
 †Rutledge, Arthur M., Louisville.
 Sanders, Henry Williams, Louisville.
 Selligman, Alfred, Louisville.
 Settle, Warner Ellmore, Bowling Green.
 Shelby, John T., Lexington.
 Simmerman, R. E. Lee, Hartford.
 Simmons, Robert C., Covington.
 Sloss, Stanley E., Louisville.
 Solinger, Jacob, Louisville.
 Stewart, J. W. M., Ashland.
 Stoll, Richard C., Lexington.
 Stone, Henry L., Louisville.
 Stout, Robert L., Versailles.
 Tabb, George Cary, Louisville.
 Theobald, Thomas Dudley, Grayson.
 Thomas, R. C. P., Bowling Green.
 Thomas, Thomas W., Bowling Green.
 Thum, Wm. Warwick, Louisville.
 Tomlin, John G., Walton.
 Trabue, Edmund F., Louisville.
 Waddill, C. J., Madisonville.

† Elected by Executive Committee between Meetings.

KENTUCKY-LOUISIANA.

Wheeler, Charles K., Paducah.
 Willis, Simeon S., Ashland.
 Wilson, Samuel M., Lexington.
 Wood, Hunter, Sr., Hopkinsville.
 Woods, Edgar H., Pageville.
 Worsham, John C., Henderson.
 Yeaman, James M., Henderson.

LOUISIANA.

Adams, St. Clair, New Orleans.
 Alexander, Taliaferro, Shreveport.
 Barret, Thomas C., Shreveport.
 Barrow, W. M., Baton Rouge.
 Beer, Scott Eugene, New Orleans.
 Boarman, Aleck, Shreveport.
 Breaux, Joseph A., New Iberia.
 Broussard, Robert F., New Iberia.
 Browne, E. Wayles, Shreveport.
 Bruenn, Bernard, New Orleans.
 Brunot, H. F., Baton Rouge.
 Buck, Charles Francis, New Orleans.
 Burke, Walter J., New Iberia.
 Burns, Louis Henry, New Orleans.
 Cahn, Edgar M., New Orleans.
 Carmouche, W. J., Crowley.
 Carroll, Charles, New Orleans.
 Carroll, Joseph Wheadon, New Orleans.
 Carter, Henry J., New Orleans.
 Carver, M. H., Natchitoches.
 Chaffe, David B. H., New Orleans.
 †Chaffe, Henry H., New Orleans.
 Chappuis, Philip J., Crowley.
 Chretien, Frank D., New Orleans.
 Claiborne, Charles F., New Orleans.
 Cline, J. D., Lake Charles.
 Coco, Adolph Valery, Marksville.
 Cross, T. Jones, Baton Rouge.
 Danziger, Alfred David, New Orleans.
 Dart, Henry P., New Orleans.
 Dart, Henry Planche, Jr., New Orleans.
 Dart, Wm. Kernan, New Orleans.
 Davey, John C., Jr., New Orleans.
 Denègre, George, New Orleans.
 Denègre, Walter D., New Orleans.
 Dinkelspiel, Max, New Orleans.
 Dubuisson, E. B., Opelousas.
 Duchamp, Charles A., New Orleans.
 Dufour, H. Generes, New Orleans.
 Dufour, William C., New Orleans.
 Dupre, H. Garland, New Orleans.
 Dymond, John, Jr., New Orleans.
 Ellis, S. D., Amite City.
 Ellis, Thomas C. W., New Orleans.
 Farrar, Edgar H., New Orleans.
 Faymoux, William McL., New Orleans.

Fenner, Charles Payne, New Orleans.
 Fletcheringer, Charles F., New Orleans.
 Florance, Ernest T., New Orleans.
 Foster, Rufus E., New Orleans.
 Friedrichs, Carl C., New Orleans.
 Furlow, Thomas E., New Orleans.
 Gilfoll, James H., Jr., Lake Providence.
 Gleason, W. L., New Orleans.
 Goldberg, Abraham, New Orleans.
 Goldsborough, R. F., New Orleans.
 Gunby, A. A., Monroe.
 Hall, L. E., Baton Rouge.
 Hart, Frank Wm., New Orleans.
 Hart, W. O., New Orleans.
 Henry, Burt W., New Orleans.
 Herold, S. L., Shreveport.
 Himel, René H., Franklin.
 Hudson, E. M., New Orleans.
 Hughes, William L., New Orleans.
 Hunt, Carleton, New Orleans.
 †Jack, George Whitfield, Shreveport.
 Janvier, George, New Orleans.
 Jones, Walter Oatesby, New Orleans.
 Kemp, Bolivar E., Amite.
 Kernan, Benj. W., New Orleans.
 King, Frederick D., New Orleans.
 Knox, Robert L., New Orleans.
 Land, Alfred D., New Orleans.
 Lawrason, Samuel McC., St. Francisville.
 Lazarus, Eldon S., New Orleans.
 Leake, Hunter C., New Orleans.
 Legendre, James, New Orleans.
 Lemann, Monte M., New Orleans.
 Lemle, Gustave, New Orleans.
 †Leovy, Victor, New Orleans.
 Lewis, John W., Opelousas.
 Lewis, Walter Stanford, New Orleans.
 McCloakey, Bernard, New Orleans.
 McLoughlin, James J., New Orleans.
 Maher, Thomas F., New Orleans.
 Manlon, Martin H., New Orleans.
 Marrero, L. H., Jr., New Orleans.
 Merrick, Edwin T., New Orleans.
 Miller, John D., New Orleans.
 Miller, T. M., New Orleans.
 Milling, R. E., New Orleans.
 Milner, Purnell M., New Orleans.
 Monroe, Frank A., New Orleans.
 Monroe, J. Blanc, New Orleans.
 Montgomery, Richard B., New Orleans.
 Mooney, Henry, New Orleans.
 Moore, I. D., New Orleans.
 Moreno, Arthur A., New Orleans.
 Mouton, Orther C., Lafayette.
 O'Donnell, Lawrence, New Orleans.
 Olivier, Pierre D., New Orleans.

† Elected by Executive Committee between Meetings.

LOUISIANA--MAINE.

O'Neill, Charles A., New Orleans.
 Overton, Winston, Lake Charles.
 Parish, John K., New Orleans.
 Parsons, Edward A., New Orleans.
 Perkins, Robert J., New Orleans.
 Peters, Arthur John, New Orleans.
 Phelps, Esmond, New Orleans.
 Plauche, Thomas C., Lake Charles.
 Provosty, Olivier O., New Orleans.
 Pujo, Arsene P., Lake Charles.
 Quintero, Lamar C., New Orleans.
 Randolph, Edward H., Shreveport.
 Robinson, H. W., New Orleans.
 Roehl, Theodore, New Orleans.
 Romain, Armand, New Orleans.
 Rosen, Charles, New Orleans.
 Rosser, J. B., Jr., New Orleans.
 Saal, Irving R., New Orleans.
 Sarpy, Henry L., New Orleans.
 Saxon, Lyle, New Orleans.
 Schwarz, Ralph J., New Orleans.
 Seavey, Warren A., New Orleans.
 Snyder, Jeff B., Tallulah.
 Sommerville, W. B., New Orleans.
 Soule, Frank, New Orleans.
 Spearing, J. Zach., New Orleans.
 Spencer, Walker Brainerd, New Orleans.
 Stafford, Ethelred M., New Orleans.
 Story, Hampden, Shreveport.
 Stubbs, Frank P., Jr., Monroe.
 Taylor, B. B., Baton Rouge.
 Terriberry, George Hitchings, New Orleans.
 Theard, Charles J., New Orleans.
 Theus, John C., Monroe.
 Thilborger, Edward J., New Orleans.
 Thornton, J. R., Alexandria.
 Titcher, Bernard, New Orleans.
 Tobin, John F., New Orleans.
 Tullis, Robert L., Baton Rouge.
 Waguespack, W. J., New Orleans.
 Waldo, Benjamin T., New Orleans.
 Waldo, John F. C., New Orleans.
 Wall, Isaac D., Baton Rouge.
 Walke, George C., New Orleans.
 Weeks, Edward T., New Iberia.
 Wels, Frederick S., New Orleans.
 White, H. H., Alexandria.
 Williamson, Roland, Shreveport.
 Williamson, W. B., Lake Charles.
 Wolf, Samuel, New Orleans.
 Wolff, Solomon, New Orleans.
 Zuntz, James E., New Orleans.

MAINE.

Allen, Fred J., Sanford.
 Appleton, Frederick H., Bangor.
 Bassett, Norman L., Augusta.
 Bird, George E., Portland.
 Blanchard, Cyrus N., Wilton.
 Bogue, Frederick, East Machias.
 Bradbury, James O., Saco.
 Bradley, William M., Portland.
 Burgess, James H., Bangor.
 Butler Frank W., Farmington.
 Chaplin, Carroll S., Portland.
 Chapman, Wilford G., Portland.
 Clark, Hugo, Bangor.
 Clifford, Philip G., Portland.
 Cook, Charles Sumner, Portland.
 Cornish, Leslie C., Augusta.
 Deasy, Luere B., Bar Harbor.
 Deering, Henry, Portland.
 Donworth, Clement B., Machias.
 Drummond, Josiah H., Portland.
 Dunn, Charles J., Orono.
 Dunton, Robert F., Belfast.
 Dyer, Isaac W., Portland.
 Emery, Lucilius A., Ellsworth.
 Gardiner, Robert H., Gardiner.
 Gillin, P. H., Bangor.
 Hale, Clarence, Portland.
 Hale, Frederick, Portland.
 Haley, George F., Biddeford.
 Hamlin, Hannibal E., Ellsworth.
 Heselton, George W., Gardiner.
 Holt, Roscoe T., Portland.
 Holway, Melvin Smith, Augusta.
 Hutchinson, Charles L., Portland.
 Ingraham, William M., Portland.
 Ives, Howard R., Portland.
 Johnson, Charles F., Waterville.
 King, Arno W., Ellsworth.
 Knowlton, William J., Portland.
 Larrabee, Sydney B., Portland.
 Lawrence, Fred F., Showhegan.
 Looney, William H., Portland.
 Lyons, William, Westbrook.
 Madigan, John B., Houlton.
 Matthews, Fred V., Portland.
 Meaher, Dennis A., Portland.
 Merrill, Alanson J., Bangor.
 Mitchell, Henry L., Bangor.
 Moore, Joseph E., Thomaston.
 Morrill, John A., Auburn.
 Newell, William H., Lewiston.
 Noyes, George F., Portland.
 Parkhurst, Frederic H., Bangor.
 Payson, Franklin O., Portland.

MAINE-MARYLAND.

Peabody, Clarence W., Portland.
 Peters, John A., Ellsworth.
 Philbrook, Warren C., Waterville.
 Pierce, Leonard A., Houlton.
 Potter, Barrett, Brunswick.
 Randall, Robert E., Freeport.
 Richards, Elmer E., Farmington.
 Ryder, Erastus C., Bangor.
 Savage, Albert R., Auburn.
 Sawyer, Clarence E., Portland.
 Sewall, Harold M., Bath.
 Skelton, William B., Lewiston.
 Smith, Bertram L., Patten.
 Snow, David W., Portland.
 Snow, Donald F., Bangor.
 Spear, Albert M., Augusta.
 Swasey, John P., Canton.
 Symonds, Joseph W., Portland.
 Thaxter, Sidney St. F., Portland.
 Thompson, Benjamin, Portland.
 Thompson, George E., Bangor.
 Tripp, William M., Wells.
 Trott, Joseph M., Bath.
 Vernon, Irving E., Portland.
 Verrill, Harry M., Portland.
 Virgin, Harry Rush, Portland.
 Waterman, John A., Gorham.
 Webb, Richard, Portland.
 Wheeler, George C., Portland.
 White, John S., Naples.
 Whitehouse, William P., Augusta.
 Wilson, John, Bangor.
 Wilson, Virgil C., Portland.
 Wing, George Curtis, Auburn.
 Woodman, Albert S., Portland.
 Woodman, Edward, Portland.

MARYLAND.

Abercrombie, Harry N., Baltimore.
 Addison, Joseph, Baltimore.
 Adkins, William H., Easton.
 Ambler, James M., Baltimore.
 †Archer, James J., Bel Air.
 Ash, David, Baltimore.
 Baetjer, Edwin G., Baltimore.
 Baetjer, Harry N., Baltimore.
 †Bagby, George P., Baltimore.
 Baker, J. Henry, Baltimore.
 Baldwin, Charles G., Baltimore.
 Bartlett, J. Kemp, Baltimore.
 Barton, Randolph, Baltimore.
 †Barton, Randolph, Jr., Baltimore.
 Beall, Fillmore, Beltsville.
 †Beck, William W., Chestertown.
 Benson, Carville D., Baltimore.
 Bernard, Richard, Baltimore.

Biggs, Robert, Baltimore.
 Binswanger, Augustus C., Baltimore.
 Bland, R. Howard, Baltimore.
 Bonaparte, Charles J., Baltimore.
 Bond, Carroll T., Baltimore.
 Bond, Hugh L., Baltimore.
 Bowen, Jesse N., Baltimore.
 Bowers, James W., Baltimore.
 Bowie, Clarence K., Baltimore.
 Bowie, Washington, Jr., Baltimore.
 Boyd, A. Hunter, Cumberland.
 Boyd, A. Hunter, Jr., Baltimore.
 Brady, George Moore, Baltimore.
 Brantly, William T., Baltimore.
 Brabears, James R., Annapolis.
 Briscoe, John P., Prince Frederick.
 Bristol, Joseph W., Baltimore.
 Buck, Walter H., Towson.
 Bunting, J. Briscoe, Prince Frederick.
 Burger, Louis J., Baltimore.
 Burke, Edward H., Towson.
 Burke, N. Charles, Towson.
 Cadwalader, Thomas F., Baltimore.
 Calwell, James S., Baltimore.
 Camaller, B. Harris, Leonardtown.
 Capper, Walter C., Cumberland.
 Carey, Francis K., Baltimore.
 †Carver, Harry S., Bel Air.
 Chapman, James W., Jr., Baltimore.
 Chesnut, W. Calvin, Baltimore.
 Claggett, Charles W. (Washington, D. C.).
 Hyattsville.
 Claggett, L. B. Keene, Baltimore.
 Clark, Gaylord Lee, Baltimore.
 †Clark, Walter L., Baltimore.
 Clemson, Charles O., Westminster.
 Close, Philip H., Bel Air.
 Coady, Charles P., Baltimore.
 Cochrane, J. W. S., Cumberland.
 Coe, Ward B., Baltimore.
 †Coleman, William C., Baltimore.
 Colston, Frederick C., Baltimore.
 Constable, Albert, Elkton.
 Cook, Elmer J., Towson.
 Crain, Robert, Baltimore.
 Cross, John Emory, Baltimore.
 Cross, William Irvine, Baltimore.
 Cull, Roger W., Baltimore.
 †Darnall, R. Bennett, Baltimore.
 Dawkins, Walter L., Baltimore.
 Dawson, William H., Baltimore.
 Deming, John B., Baltimore.
 Denhard, Augustus M., Baltimore.
 Dennis, James U., Baltimore.
 †Dennis, Jas. Teackle, Woodbrook.
 Dennis, Samuel K., Baltimore.
 Denny, James W., Baltimore.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MARYLAND.

- Devecmon, William C., Cumberland.
 †Digges, W. Mitchell, La Plata.
 Dobler, John J., Baltimore.
 Donaldson, Albert E., Baltimore.
 Donnelly, Edward A., Baltimore.
 Dorton, Frederick T., Baltimore.
 Doub, Albert A., Cumberland.
 Duckett, T. Howard, Bladensburg.
 Duffy, Edward, Baltimore.
 Duffy, Henry, Baltimore.
 Duvall, Richard Marceen, Baltimore.
 Elliott, Thos. Ireland, Baltimore.
 Emory, German H. H., Baltimore.
 Evans, William S., Elkton.
 †Fabey, Michael H., Havre de Grace.
 Field, Charles W., Baltimore.
 Field, S. S., Baltimore.
 Fink, Charles E., Westminster.
 Fisher, D. K. Este, Baltimore.
 Forsythe, William H., Jr., Ellicott City.
 Foster, Arthur D., Baltimore.
 France, Jacob, Baltimore.
 France, Joseph C., Baltimore.
 Frank, Eli, Baltimore.
 French, H. Findlay, Baltimore.
 Garnett, J. Mercer, Jr., Baltimore.
 †Gibson, Edward Guest, Baltimore.
 Giffen, Wallis, Baltimore.
 Gill, Roger T., Baltimore.
 Goldsborough, P. L., Cambridge.
 Goldsborough, T. Alan, Denton.
 †Goodnow, Frank J., Baltimore.
 Gorter, James P., Baltimore.
 Gonnell, Frank, Baltimore.
 Graham, Robert P., Baltimore.
 Gray, John B., Prince Frederick.
 Gregg, Maurice, Baltimore.
 Griswold, Robertson, Baltimore.
 Haman, B. Howard, Baltimore.
 Hamilton, W. Howard, Baltimore.
 Hammond, Edward M., Baltimore.
 Harcastle, Alexander, Jr., Baltimore.
 Harlan, Henry D., Baltimore.
 Harley, Charles F., Baltimore.
 Henderson, Robert R., Cumberland.
 Heusler, Charles W., Baltimore.
 Hill, John Philip, Baltimore.
 Hinkley, John, Baltimore.
 Hisky, Thomas Foley, Baltimore.
 Howard, Charles McH., Baltimore.
 Howard, Charles Morris, Baltimore.
 Hughes, Adrian, Baltimore.
 Hughes, Thomas, Baltimore.
 †Humrichouse, Harry H., Hagerstown.
 Jackson, Arthur L., Baltimore.
 Janney, Stuart S., Baltimore.
 Jenifer, H. Courtney, Towson.
 Jones, Julian S., Baltimore.
 Joyce, Hazelton A., Jr., Cambridge.
 Keech, Edward P., Jr., Baltimore.
 Keedy, Martin L., Hagerstown.
 Kemp, W. Thomas, Baltimore.
 Lamar, Wm. H., Rockville.
 Lauchheimer, Sylvan Hayes, Baltimore.
 Lawrence, William H., Baltimore.
 Leakin, J. Wilson, Baltimore.
 Lee, Blair (Washington, D. C.), Silver Spring.
 Lee, John L. G., Baltimore.
 Legge, George W., Jr., Oakland.
 Levy, William B., Baltimore.
 Lindsay, James J., Baltimore.
 Little, Charles A., Hagerstown.
 Little, John Mays, Towson.
 Loker, Wm. Meverill, Leonardtown.
 Lord, J. Walter, Baltimore.
 McCullough, Henry M., Elkton.
 McHenry, James A., Cumberland.
 McIntosh, David G., Towson.
 McIntosh, David G., Jr., Towson.
 McLanahan, J. Craig, Baltimore.
 McLane, Allan, Garrison.
 MacDonald, Robert, Cumberland.
 Machen, Arthur W., Jr., Baltimore.
 Mackenzie, Thomas, Baltimore.
 Magruder, Caleb Clarke, Upper Marlboro.
 Magruder, M. Hampton, Upper Marlboro.
 Maloy, Wm. Milnes, Baltimore.
 Maltbie, William H., Baltimore.
 Marbury, William L., Baltimore.
 Marchant, Roland R., Baltimore.
 Markell, Charles, Baltimore.
 Marshall, R. E. Lee, Baltimore.
 Mason, J. Augustine, Hagerstown.
 Merrick, George B., Upper Marlboro.
 Merriken, Charles L., Baltimore.
 Meyer, Lee S., Baltimore.
 Miles, Joshua W., Princess Anne.
 †Mitchell, Walter J., La Plata.
 Moses, Jacob M., Baltimore.
 †Mudd, John F., Bryantown.
 Mullen, James Morfit, Baltimore.
 Mullikin, Addison E., Baltimore.
 Murphy, John L. V., Baltimore.
 Niles, Alfred S., Baltimore.
 Nitzell, Henry M., Baltimore.
 O'Brien, William J., Jr., Baltimore.
 O'Dunne, Eugene, Baltimore.
 Offutt, Thiemann Scott, Towson.
 Owens, Fred R., Denton.
 Packard, Joseph, Baltimore.
 Painter, E. Lynne, Baltimore.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MARYLAND—MASSACHUSETTS.

- Parker, W. W., Baltimore.
 Parran, J. Frank, Prince Frederick.
 Pattison, John R., Cambridge.
 Pearce, James A., Chestertown.
 Pearre, Aubrey, Jr., Baltimore.
 Pearre, George A., Cumberland.
 Perkins, William H., Jr., Baltimore.
 Peter, Arthur, Rockville (Washington, D. C.)
 Piper, James, Baltimore.
 Pirscher, William F., Baltimore.
 Plesanta, Richard H., Baltimore.
 Poe, Edgar Allan, Baltimore.
 Pratt, James R., Baltimore.
 Price, William H., Jr., Baltimore.
 Purnell, Clayton, Frostburg.
 †Randall, Daniel R., Annapolis.
 Rawls, William L., Baltimore.
 Rich, Edward N., Baltimore.
 Richardson, John H., Baltimore.
 Richmond, Benjamin A., Cumberland.
 Ritchie, Albert C., Baltimore.
 Roberts, Clarence M., Marlboro.
 Robinson, Thomas H., Bel Air.
 Rogers, James C., Hyattsville.
 Rose, John C., Baltimore.
 Sadtler, Howard P., Baltimore.
 Sappington, Augustine DeR., Baltimore.
 Sappington, Edward H., Baltimore.
 Sappington, G. Ridgely, Baltimore.
 Sasser, Frederick, Upper Marlboro.
 Sauerwein, E. Allan, Jr., Baltimore.
 Semmes, John E., Jr., Baltimore.
 †Seth, Alexander L., Baltimore.
 Shriver, Alfred J., Baltimore.
 Skeen, John Henry, Baltimore.
 Slingluff, Jesse, Baltimore.
 Slingluff, R. Lee, Baltimore.
 Snowden, Wilton, Jr., Baltimore.
 Soper, Morris A., Baltimore.
 Stanford, H. L. D., Princess Anne.
 Staton, John W., Snow Hill.
 Staum, John R. M., Baltimore.
 Steele, Guy W., Westminster.
 Stein, Charles F., Baltimore.
 Stephen, Frank M., Riverdale.
 Stockbridge, Henry, Baltimore.
 Straus, Isaac Lobe, Baltimore.
 Stuart, Albert E., Baltimore.
 Stump, H. Arthur, Baltimore.
 Taylor, Archibald H., Baltimore.
 Thom, J. Pembroke, Baltimore.
 Thomas, J. Hanson, Baltimore.
 Thomas, Wm. H., Westminster.
 †Tiffany, Herbert T., Baltimore.
 Tippet, Richard B., Baltimore.
 Trippe, James McC., Baltimore.
 Turner, Frank G., Baltimore.
 †Tyson, A. Morris, Baltimore.
 †Upshur, George Martin, Snow Hill.
 Urner, Hammond, Frederick.
 Van Clagett, T., Upper Marlboro.
 Walles, F. Leonard, Salisbury.
 Walsh, William E., Cumberland.
 Walter, Moses R., Baltimore.
 †Want, Samuel, Baltimore.
 Warburton, William T., Elkton.
 Warfield, Edwin, Baltimore.
 Warfield, F. Howard, Baltimore.
 Warner, C. Hopewell, Baltimore.
 Waters, Henry J., Princess Anne.
 Waters, J. S. T., Baltimore.
 Wattenscheidt, Christopher R., Baltimore.
 Watta, Philip B., Baltimore.
 Wehr, Albert H., Baltimore.
 Weinberg, Leo, Frederick.
 Wells, C. A. M. (Washington, D. C.), Hyattsville.
 Wells, Robert W. (Washington, D. C.), Hyattsville.
 Wheatley William A., Baltimore.
 Whittle, John B. A., Baltimore.
 Whitaker, Harry A., Bel Air.
 Whitlock, George, Baltimore.
 Whiting, F. Brooke, Cumberland.
 Williams, Ferdinand, Cumberland.
 Williams, George Weems, Baltimore.
 Williams, Henry W., Baltimore.
 Williams, Raymond S., Baltimore.
 Williams, Stevenson A., Bel Air.
 Willis, George B., Baltimore.
 Wilmer, L. Allison, La Plata.
 Worthington, Glenn H., Frederick.
 †Wright, J. Purdon, Baltimore.
 Wright, W. H. DeC., Baltimore.
 Yellott, Osborne L., Baltimore.
 Young, Arch A., Cumberland.

MASSACHUSETTS.

- Abbott, Ira A., Haverhill.
 Abbott, John, Boston.
 Abele, George W., Boston.
 Adams, Brooks, Boston.
 Adams, Edward B., Cambridge, (Boston).
 Adama, Walter, So. Framingham.
 Ahearn, David C., So. Framingham.
 Aiken, John A., Boston.
 Albers, Homer, Boston.
 Aldrich, Charles F., Worcester.
 Aldrich, H. M., Boston.
 Allen, Charles E., Boston.
 Anderson, Clifford S., Worcester.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MASSACHUSETTS.

- Anderson, Elbridge R., Boston.
 Anderson, George W., Boston.
 Appleton, John H., Boston.
 Arnold, Edmund K., Boston.
 Ashton, Samuel W., Fall River.
 Atherton, Percy A., Boston.
 Avery, Nathan P., Holyoke.
 Ayers, Walter, Brookline.
 Aylward, James F., Boston.
 Bacon, James F., Boston.
 Badger, Walter I., Boston.
 Ballen, Samuel Lawrence, Boston.
 Bailey, Hollis R., Boston.
 Baker, Harvey H., Boston.
 Baker, J. Arthur, Pittsfield.
 Ballantine, Arthur A., Boston.
 Barker, B. Devereux, Boston.
 Barnes, Charles B., Jr., Boston.
 Barnes, Jonathan, Springfield.
 Barney, Charles Neal, Lynn.
 Bartlett, Charles W., Boston.
 Bartlett, Ralph Sylvester, Boston.
 Bassett, J. Colby, Boston.
 Bates, John Lewis, Boston.
 Beal, Henry W., Boston.
 Beale, Joseph Henry, Jr., Cambridge.
 Beaman, Middleton (New York, N. Y.).
 Boston.
 Belden, Charles F. D., Boston.
 Bennett, Samuel C., Boston.
 Berenson, Arthur, Boston.
 Berry, Henry N., Boston.
 Berry, John King, Boston.
 Bidwell, Raymond A., Springfield.
 Bigelow, Albert F., Boston.
 Bigelow, Cleveland, Boston.
 Bigelow, William Reed, Boston.
 Bingham, Norman W., Jr., Boston.
 Bishop, Elias B., Boston.
 Blackmur, Paul R., Boston.
 †Blatt, William M., Boston.
 Blinn, George Richard, Boston.
 Blodgett, Edward E., Boston.
 Bolster, Percy G., Boston.
 Bond, Lawrence, Boston.
 Bosworth, Charles Wilder, Springfield.
 Boyden, Roland W., Boston.
 Bradlee, Edward C., Boston.
 Braley, Henry K., Boston.
 Brandeis, Louis D., Boston.
 Brannan, Joseph Doddridge, Cambridge.
 Brayton, Israel, Fall River.
 Bremer, Clifton L., Boston.
 Brewer, Daniel Chauncey, Boston.
 Brewster, Frank, Boston.
 Brown, Fred W., Boston.
 Brown, George H., Boston.
 Brown, H. LaRue, Boston.
 Brown, William H., Boston.
 Brownson, Wendell G., Springfield.
 Bruce, Charles M., Boston.
 Buffum, Walter N., Boston.
 Bullock, A. G., Worcester.
 Burdett, Everett W., Boston.
 Burke, Francis, Boston.
 Burnham, Addison C., Boston.
 Burnham, Henry L., Boston.
 Burrage, Albert C., Boston.
 Butler, William M., Boston.
 Cabot, Frederick Pickering, Boston.
 Calkins, Oscar, Brockton.
 Campbell, Francis A., Boston.
 Carleton, Philip Greenleaf, Boston.
 Carlton, Otis J., Haverhill.
 Carney, Francis J., Boston.
 Carpenter, Edward N., Boston.
 Carroll, Francis M., Boston.
 Carroll, James B., Springfield.
 Carver, Eugene P., Boston.
 Carver, Percy W., Boston.
 Casey, John H., Boston.
 Casey, Thomas, Fitchburg.
 Cavanagh, James F., Boston.
 Chamberlain, Albert Henry, Lawrence.
 Chandler, Albert Minot, Boston.
 Chandler, Alfred D., Boston.
 Channing, Henry Morse, Boston.
 Chase, Herbert M., Boston.
 Chickering, Arthur P., Boston.
 Choate, Charles F., Jr., Boston.
 Church, Elliott Bradford, Boston.
 Clapp, Robert P., Lexington.
 Clark, Chester W., Boston.
 Clark, I. R., Boston.
 Clark, Lyman K., Boston.
 Clarke, Arthur F., Boston.
 Clarke, George Lemist, Boston.
 Clarke, Henry Martyn, Boston.
 Clifford, Charles W., New Bedford.
 Coakley, Daniel H., Boston.
 Coale, George O. G., Boston.
 Cohen, Abraham K., Boston.
 Cole, Harry J., Haverhill.
 Colt, James D., Boston.
 Cook, Otis Seabury, New Bedford.
 Coolidge, William H., Boston.
 Corbett, Joseph J., Boston.
 Corcoran, Declan W., Boston.
 Cotter, James E., Boston.
 Coughlin, John T., Fall River.
 Cox, Guy W., Boston.
 Crapo, William W., New Bedford.

† Elected by Executive Committee between Meetings.

MASSACHUSETTS.

- Crosby, J. Porter, Boston.
 Crosby, John C., Pittsfield.
 Cummings, Charles R., Fall River.
 Cunningham, Frederic, Boston.
 Currier, Guy W., Boston.
 Cushing, Grafton D., Boston.
 Cushing, Livingston, Boston.
 Cusick, John F., Boston.
 Dallinger, Frederick W., Boston.
 Dana, Richard H., Cambridge.
 Darling, Charles K., Boston.
 Davenport, Charles M., Boston.
 Davis, Harold S., Boston.
 Davis, Harrison M., Boston.
 Davis, Robert C., Fall River.
 Dean, Josiah S., Boston.
 DeCourcy, Charles A., Lawrence.
 Dennison, Joseph A., Boston.
 Derby, Charles H., Worcester.
 Devlin, James H., Jr., Boston.
 Dexter, Jos. P., So. Farmingham.
 Dexter, Phillip, Boston.
 Dickinson, Charles, Boston.
 Dickson, George C., Boston.
 Dillaway, Wm. E. L., Boston.
 Dodge, Frederic, Boston.
 Dodge, Robert Gray, Boston.
 Doherty, James L., Springfield.
 Dolan, Arthur W., Boston.
 †Donahue, Joseph Joyce, Boston.
 Donald, Malcolm, Boston.
 Doran, James P., New Bedford.
 Dorman, William E., Lynn.
 Dowse, Wm. B. H., Boston.
 Dubuque, Hugo A., Fall River.
 Dunbar, Frank Emerson, Lowell.
 Dunbar, James R., Boston.
 Dunbar, Ralph W., Boston.
 Dunbar, William H., Boston.
 Dunn, Henry W., Boston.
 Dwyer, Michael J., Boston.
 Eames, Burton E., Boston.
 Eisner, Michael L., Pittsfield.
 Elder, Charles R., Boston.
 Elder, Samuel J., Boston.
 Eliot, Amory, Boston.
 Ellis, David A., Boston.
 Elting, Irving, Brookline.
 Ely, Frederick D., Dedham.
 Ely, Henry W., Westfield.
 Ely, Joseph B., Springfield.
 Emery, Frederick L., Boston.
 Ensign, Charles S., Jr., Boston.
 Eyges, Leon Russell, Boston.
 Fagan, Joseph P., Boston.
 Fall, George Howard, Malden.
 Fallon, James, Pittsfield.
 Farley, John Wells, Boston.
 Farlow, John S., Boston.
 Farnham, Frank A., Boston.
 Feely, Joseph J., Boston.
 Feeney, John P., Boston.
 Ferber, J. Bernard, Boston.
 Field, Fred T., Boston.
 Fish, Frederick P., Boston.
 Fisher, Frederic A., Lowell.
 Fiske, Andrew, Boston.
 Fitz-Randolph, Reginald T., Nantucket.
 Flint, Albert F., Boston.
 Flynn, George A., Boston.
 Fopiano, Albert B., Boston.
 Forbush, Frank M., Boston.
 Foss, Ernest, Newburyport.
 Foster, Alfred D., Boston.
 Foster, Frederick, Boston.
 Foster, Reginald, Boston.
 Fowler, Wm. P., Boston.
 Frankfurter, Felix, Cambridge.
 French, Ann P., Boston.
 Friedman, Lee M., Boston.
 Friedman, Simon G., Worcester.
 Fuller, Samuel A., Boston.
 Gage, Thomas Hovey, Worcester.
 Gallagher, Charles T., Boston.
 Gallagher, Thomas F., Fitchburg.
 Garcelon, William F., Boston.
 Garfield, Harry A., Williamstown.
 Garfield, Irvin McD., Boston.
 Garland, Francis P., Boston.
 Gaskill, George A., Worcester.
 Gauthier, Joseph A., New Bedford.
 Gay, Daniel F., Worcester.
 Giddings, Charles, Great Barrington.
 Gilman, Edwin C., Boston.
 Gloag, Ralph Wardlaw, Boston.
 Goodale, Francis G., Boston.
 Goodspeed, Alex. McLellan, New Bedford.
 Goodwin, Robert E., Boston.
 Gove, William H., Salem.
 Grant, Walter B., Boston.
 Graustein, Archibald R., Boston.
 Gray, J. Converse, Boston.
 Green, Addison L., Holyoke.
 Greene, Foster R., Fall River.
 Grinnell, Frank W., Boston.
 Hadley, Eugene J., Boston.
 Hale, Richard W., Boston.
 Hall, Damon E., Boston.
 Hall, Edward Kimball, Boston.
 Hall, F. Rockwood, Boston.
 Hall, Frank B., Worcester.
 Hall, Frederick S., Taunton.

† Elected by Executive Committee between Meetings.

MASSACHUSETTS.

- Halloran, James Ambrose, Boston.
 Hallowell, J. Mott, Boston.
 Hamilton, Samuel K., Boston.
 Hamlin, Charles S., Boston.
 Hannigan, John E., Boston.
 Harris, Robert Orr, Boston.
 Haskins, David Greene, Jr., Boston.
 Hayden, Albert F., Boston.
 Hayes, Joseph K., Jr., Boston.
 Healey, J. Ward, Leominster.
 Heard, Nathan, Boston.
 Hellier, Charles E., Boston.
 Hemenway, Alfred, Boston.
 Hendricks, Philip A., Boston.
 Herbert, John, Boston.
 Herrick, Robert F., Boston.
 Hersey, Arthur U., Boston.
 Hight, Clarence Albert, Boston.
 Hill, Arthur Dehon, Boston.
 Hill, Donald Mackay, Boston.
 Hills, George E., Boston.
 Hitch, Mayhew R., New Bedford.
 Hitchcock, Loranus E., Boston.
 Hitchcock, Wm. Harold, Boston.
 Hoague, Theodore, Boston.
 Hoban, Owen A., Gardner.
 Hodges, Geo. Clarendon, Boston.
 Holland, Bert E., Boston.
 Homans, Robert, Boston.
 Hooper, S. Henry, Boston.
 Howe, Elmer P., Boston.
 Hudson, Samuel H., Boston.
 Hughes, John T., Boston.
 Hunt, John H. S., Worcester.
 Hurlbutt, Henry F., Boston.
 Hurtubis, Francis, Jr., Boston.
 Hutchings, Henry M., Boston.
 Hutchins, Edward W., Boston.
 Innes, Charles H., Boston.
 Irwin, Richard W., Northampton.
 Jacobs, Philip W., Boston.
 Jennings, Andrew J., Fall River.
 Johnson, Arthur T., Boston.
 Johnson, Benjamin N., Boston.
 Johnson, Melvin M., Boston.
 Johnson, Reginald H., Boston.
 Jones, Boyd B., Boston.
 Jones, Matt B., Boston.
 Jones, Nathaniel N., Boston.
 Jones, Stephen R., Boston.
 Jordan, Michael J., Boston.
 Joslin, Ralph Edgar, Boston.
 Joyner, Herbert C., Great Barrington.
 Katz, Maurice L., Worcester.
 Keating, Patrick M., Jamaica Plain.
 Kellen, William V., Cohasset.
 Kelley, James Edward, Boston.
 Kelly, Thomas, Boston.
 Kenny, Thomas J., Boston.
 Kimball, Benjamin, Boston.
 Kimball, George Everett, Boston.
 King, O. O., Brockton.
 King, Henry A., Springfield.
 Knight, Henry F., Boston.
 Knight, Robert A., Springfield.
 Knowles, Charles S., Boston.
 Knowlton, Frank W., Boston.
 Ladd, Nathaniel W., Boston.
 Lamontagne, O. O., Holyoke.
 Lasker, Henry, Springfield.
 Lawton, Frederick, Boston.
 Leahy, John P., Boston.
 Leggat, John O., Lowell.
 Leverett, George V., Boston.
 Leveroni, Frank, Boston.
 Lewenberg, Solomon, Boston.
 Lewis, Wm. H., Boston.
 Lilley, Charles S., Lowell.
 Lincoln, Albert L., Boston.
 Lincoln, Alexander, Boston.
 Lincoln, Arba N., Fall River.
 Linscott, Frank K., Boston.
 Little, Amos R., Boston.
 Little, James, Fall River.
 Lord, Arthur, Boston.
 Loring, Victor J., Boston.
 Loring, Wm. Caleb, Boston.
 Lothrop, Thornton K., Jr., Boston.
 Lourie, Moses S., Boston.
 Lowell, James A., Boston.
 Lowell, John, Boston.
 Lund, Joseph W., Boston.
 McAnarney, John W., Boston.
 McClennen, Edward F., Boston.
 McConnell, James E., Boston.
 McDonald, John F., Boston.
 McDonough, Charles A., Boston.
 McLellan, Hugh D., Boston.
 Mack, John H., North Adams.
 Magenis, James P., Boston.
 Mahoney, Jeremiah F., Lawrence.
 Malone, Dana, Boston.
 Mansfield, Frederick W., Boston.
 Marble, Frederick P., Lowell.
 Marden, Oscar A., Boston.
 Mason, John W., Northampton.
 May, Marcus B., Boston.
 Metzler, Curtis G., Boston.
 Michelman, Joseph, Boston.
 Mitchell, Charles, New Bedford.
 Mitton, Arthur Graham, Boston.
 Montague, David T., Boston.

MASSACHUSETTS.

- Montague, Henry B., Southbridge.
 Morse, Robert M., Boston.
 Morse, William A., Boston.
 Morton, James M., Jr., Fall River.
 Morton, Marcus, Boston.
 Motley, Warren, Boston.
 Mowatt, Fred W., Boston.
 Murchie, Guy, Boston.
 Murphy, James R., Boston.
 Myrick, N. Sumner, Boston.
 Nay, Frank N., Boston.
 Neal, John F., Boston.
 Newell, James M., Boston.
 Niles, Clarence P., Pittsfield.
 Noble, William M., Boston.
 Norman, Lionel, Boston.
 Norwood, C. Augustus, Boston.
 Noxon, John F., Pittsfield.
 Nutter, George R., Boston.
 O'Brien, Edward B., Lynn.
 O'Brien, John H., Clinton.
 O'Brien, Thomas D., Holyoke.
 O'Connell, Daniel T., Boston.
 O'Connell, Joseph F., Boston.
 O'Connor, Thomas J., Holyoke.
 O'Donnell, James E., Lowell.
 Ogden, Hugh W., Boston.
 Olmstead, James M., Boston.
 Olney, Richard, Boston.
 O'Loughlin, Patrick, Boston.
 Ong, Eugene W., Boston.
 Ordway, Gilbert F., Boston.
 O'Reilly, John J., Brockton.
 Osgood, William N., Boston.
 Palmer, Bradley W., Boston.
 Parker, Herbert, Boston.
 Parker, Philip S., Boston.
 Parker, Robert Chapin, Westfield.
 Parker, William C., New Bedford.
 Peabody, Francis, Boston.
 Pearson, Gardiner W., Lowell.
 Pease, Frank Alvin, Fall River.
 Pelletier, Joseph C., Boston.
 Perkins, Thomas N., Boston.
 Pevey, Gilbert A. A., Boston.
 Phillips, Arthur S., Fall River.
 Phillips, Benjamin, Boston.
 Phipps, George V., Boston.
 Pickering, Henry Goddard, Boston.
 Pickman, Dudley L., Jr., Boston.
 Pickman, John J., Lowell.
 Pinkerton, Alfred S., Worcester.
 Poediger, George A., Pittsfield.
 Pond, George K., Greenfield.
 Poor, John R., Brookline.
 Pound, Roscoe, Cambridge.
 Powers, Samuel L., Boston.
 Proctor, Thomas W., Boston.
 Pulsifer, Geo. Royal, Boston.
 Putnam, James L., Boston.
 Putnam, William L., Boston.
 Quincy, Josiah Hatch, Boston.
 Rackemann, Charles Sedgwick, Boston.
 Rackemann, Felix, Boston.
 Ranney, Fletcher, Boston.
 Raymond, John Marshall, Salem.
 Raymond, Robert F., Boston.
 Read, Charles C., Boston.
 Reynolds, John J., Boston.
 Rice, John C., Boston.
 Richards, Albin L., Boston.
 Richardson, Charles F., Boston.
 Richardson, Henry T., Boston.
 Richardson, John S., Boston.
 Richardson, W. K., Boston.
 Roberts, George L., Boston.
 Robson, Stuart M., Springfield.
 Rogers, George Lyman, Boston.
 Rollins, Albert M., Brockton.
 Rubenstein, Phillip, Boston.
 Ruby, Edward H., Boston.
 Rugg, Arthur P., Worcester.
 Ruggles, Daniel B., Boston.
 Runo, Victor E., Worcester.
 Russell, Charles A., Gloucester.
 Russell, J. Porter, Boston.
 Sabine, William, Boston.
 Saltonstall, Richard M., Boston.
 Saunders, Charles G., Boston.
 Saville, Huntington, Boston.
 Sawtell, Frank M., Boston.
 Sawyer, Alfred P., Lowell.
 Sawyer, George A., Boston.
 Sawyer, Henry C., Boston.
 Saxe, John W., Boston.
 Scalfe, Lauriston L., Boston.
 Scully, Edward T., Pittsfield.
 Sears, George B., Salem.
 Sears, Wm R., Boston.
 Selfridge, Arthur J., Boston.
 Shattuck, Charles E., Boston.
 Shattuck, Henry Lee, Boston.
 Sheehan, Jos. A., Boston.
 Sheldon, Henry N., Boston.
 Sheldon, Nelson L., Boston.
 Sherman, Roland H., Boston.
 Silverman, Samuel S., Boston.
 Simonds, Lincoln S., Gloucester.
 Simpson, Frank Leslie, Boston.
 Sisk, James H., Lynn.
 Slater, John S., Boston.
 Slocum, Edward T., Pittsfield.

MASSACHUSETTS.

Smith, Arthur Thad., Boston.
 Smith, Charles David, Gloucester
 Smith, Curtis Nye, Boston.
 Smith, Fitz-Henry, Jr., Boston.
 Smith, Frank Bulkeley, Worcester.
 Smith, Frank Channing, Jr., Worcester.
 Smith, Jeremiah, Jr., Boston.
 Sohler, William D., Boston.
 Southard, Louis C., Boston.
 Sprague, Charles H., Boston.
 Spring, Arthur L., Boston.
 Spring, Romney, Boston.
 Stanton, Horace B., Boston.
 Stebbins, Charles H., Boston.
 Steere, Charles, Boston.
 Stevens, Eliza M., Lynn.
 Stevens, Solon W., Lowell.
 Stiles, James A., Gardner.
 Stimson, Frederic J., Boston.
 Stockton, Howard, Jr., Boston.
 Stone, Edward C., Boston.
 Stone, Frederic M., Boston.
 Stone, Robert B., Boston.
 Stone, Willmore B., Springfield.
 Stoneman, David, Boston.
 Storey, Moorfield, Boston.
 Storey, Richard C., Boston.
 Streeter, Thomas W., Boston.
 Studley, J. Butler, Boston.
 Sturgis, Roger F., Boston.
 Sughrue, Michael J., Boston.
 Sullivan, James W., Lynn.
 Sullivan, John A., Boston.
 Sullivan, Michael L., Salem.
 Sullivan, Thomas H., Worcester.
 Sullivan, William B., Boston.
 Swain, Roger Dyer, Boston.
 Sweetser, George A., Boston.
 Swift, James Marcus, Boston.
 Swig, Louis, Taunton.
 Taft, Edgar S., Gloucester.
 Taft, George S., Worcester.
 Taintor, Giles, Boston.
 Talbot, Edmund H., Boston.
 Taylor, Amos Leavitt, Boston.
 Taylor, Edw. I., Boston.
 Thayer, Rufus H., Nantucket.
 Thompson, William G., Boston.
 Thorndike, Herbert C., Brockton.
 Thorndike, John Larkin, Boston.
 Tinkham, Geo. Holden, Boston.
 Tisdale, Archibald R., Boston.
 Tucker, George F., Boston.
 Tyler, Charles H., Boston.
 Tyler, Marion L., Boston.
 Underwood, W. Orison, Boston.

Vahey, James H., Boston.
 Van Everen, Horace, Boston.
 Vaughan, Ernest H., Worcester.
 Vaughan, Henry G., Boston.
 Vaughan, Wm. W., Boston.
 Voorhees, Harvey C., Boston.
 Wait, William Cushing, Medford.
 Wakefield, John Lathrop, Boston.
 Wambaugh, Eugene, Cambridge.
 Wardner, G. Philip, Boston.
 Ware, Charles Elliot, Fitchburg.
 Warner, Joseph B., Boston.
 Warner, Milton B., Pittsfield.
 Warren, Edward H., Cambridge.
 Waters, Asa W. (Philadelphia, Pa.),
 Cambridge.
 Waters, Bertram G., Boston.
 Wead, Leslie C., Boston.
 Weed, Alonzo R., Boston.
 Welch, William M., Athol.
 Wellman, Arthur H., Boston.
 Wells, Wellington, Boston.
 Weston, Robert Dickson, Boston.
 Weston, Thomas, Jr., Boston.
 Weyburn, Lyon, Boston.
 Wharton, Wm. F., Boston.
 Wheeler, Henry, Boston.
 Whipple, Sherman L., Boston.
 White, Frank Owen, Boston.
 White, Moses Perkins, Boston.
 Whiteside, Alexander, Boston.
 Whitney, M. B., Westfield.
 Whittlesey, John J., Pittsfield.
 Wier, Frederick N., Lowell.
 Wiggin, Joseph, Boston.
 Wigglesworth, George, Boston.
 Wight, Delano, Boston.
 Wiles, Thomas L., Boston.
 Williams, David W., Boston.
 Williams, Fred H., Boston.
 Williams, Harold P., Boston.
 Williams, Wendell, Milford.
 Williston, Samuel (Cambridge), Belmont.
 Willmontton, George E., Manchester.
 Wilson, Butler R., Boston.
 Wilson, George L., Boston.
 Wood, Chandler M., Boston.
 Wood, L. Elmer, Fall River.
 Woods, William S., Taunton.
 Worthen, Albert P., Boston.
 Wright, Charles H., Pittsfield.
 Wright, Frank H., Great Barrington.
 Wrightington, S. R., Boston.
 Wyman, Henry A., Boston.
 Young, Charles L., Springfield.
 Young, Stephen Emerson, Boston.
 Youngman, William S., Boston.

MEXICO-MICHIGAN.

MEXICO.

Fuller, E. Dean, Mexico City.
 Kearful, Francis J., Mexico City.
 †Shanklin, Arnold, Mexico City.

MICHIGAN.

Antiedel, John P., Detroit.
 Arthur, Jesse, Battle Creek.
 Baldwin, Clark E., Adrian.
 Ball, Dan H., Marquette.
 Barlow, Burt E., Coldwater.
 Barnett, James F., Grand Rapids.
 Bates, George W., Detroit.
 Bates, Henry M., Ann Arbor.
 Beaumont, John W., Detroit.
 Belden, William P., Ishpeming.
 Bissell, John H., Detroit.
 Black, Cyrenius P., Lansing.
 Boltwood, Lucius, Grand Rapids.
 Boudeman, Dallas, Kalamazoo.
 Brownson, Robert M., Detroit.
 Bulkley, Harry Conant, Detroit.
 Burritt, William A., Hancock.
 Byers, I. W., Iron River.
 Campbell, Charles H., Detroit.
 Campbell, Henry M., Detroit.
 Campbell, James H., Grand Rapids.
 Carpenter, William L., Detroit.
 Carton, John J., Flint.
 Casgrain, Charles W., Detroit.
 Cavanaugh, Martin J., Ann Arbor.
 Chappell, Fred L., Kalamazoo.
 Choate, Ward N., Detroit.
 Clapperton, George, Grand Rapids.
 Clark, Joseph H., Detroit.
 Corlies, John B., Detroit.
 Cummins, Alva M., Lansing.
 Danaher, Michael B., Ludington.
 Denison, Arthur C., Grand Rapids.
 Dickinson, Julian G., Detroit.
 Dodge, Frank L., Lansing.
 Donnelly, John C., Detroit.
 Douglas, Samuel T., Detroit.
 Durand, Lorenzo T., Saginaw, E. S.
 Earl, Otis A., Kalamazoo.
 Edgerton, John M., Negaunee.
 Eldredge, Arch Bishop, Marquette.
 Fellows, Grant, Hudson.
 †Fitzpatrick, William Geo., Detroit.
 Fuller, Jay, Detroit.
 Gaffl, John J., Jr., Detroit.
 Goddard, Edwin C., Ann Arbor.
 Graves, Henry B., Detroit.
 Gray, Robert T., Detroit.
 Gray, William J., Detroit.

Griffin, William J., Detroit.
 Groesbeck, Alex. J., Detroit.
 Haggerson, Fred H., Menominee.
 †Hall, James H., Detroit.
 Handy, Sherman T., Sault Ste. Marie.
 Harward, Frederic T., Detroit.
 Hatch, Harvey B., Marquette.
 Hatch, Reuben, Grand Rapids.
 Hatch, William B., Ypsilanti.
 Henderson, Robert C., Norway.
 Hixson, Virgil I., Manistique.
 Hooper, Joseph Lawrence, Battle Creek.
 Hyde, Wesley W., Grand Rapids.
 January, William L., Detroit.
 Jenkins, Frank E., Oxford.
 Jones, Arthur, Detroit.
 †Joslyn, Lee E., Detroit.
 Keating, Frank L., Pellston.
 Keena, James T., Detroit.
 Keeney, Willard F., Grand Rapids.
 Kennedy, Michael J., Ishpeming.
 Kent, Charles A., Detroit.
 Knappen, Loyal E., Grand Rapids.
 Knappen, Stuart E., Grand Rapids.
 Kuhn, Franz C., Detroit.
 Lacy, Arthur J., Detroit.
 Ladd, Sanford W., Detroit.
 Lane, Victor H., Ann Arbor.
 †Ledyard, Henry, Detroit.
 †Leete, Thomas T., Jr., Detroit.
 Lightner, Clarence A., Detroit.
 Lillie, Walter I., Grand Haven.
 Lockwood, Harry A., Detroit.
 †Lucking, William, Detroit.
 Lyster, Henry L., Detroit.
 McAllister, James T., Grand Rapids.
 McAlvay, Aaron V., Lansing.
 †McDonald, John S., Grand Rapids.
 McDonough, Martin S., Iron River.
 McHugh, Philip A., Detroit.
 McKnight, Wm. F., Grand Rapids.
 McMillan, Philip H., Detroit.
 †McNamara, James, Detroit.
 Maher, Edgar A., Grand Rapids.
 Manchester, William C., Detroit.
 Mason, William L., L'Anse.
 May, James D., Detroit.
 Mechem, George W., Battle Creek.
 Miller, Albert Edward, Marquette.
 Miller, Frederick C., Mount Clemens.
 Miller, Sidney T., Detroit.
 Millis, Wade, Detroit.
 Moody, Paul B., Detroit.
 Moore, Joseph B., Lansing.
 Norris, Herbert M., Ironwood.
 Norris, Mark, Grand Rapids.
 O'Brien, M. Hubert, Detroit.

† Elected by Executive Committee between Meetings.

MICHIGAN-MINNESOTA

O'Brien, Patrick H., Houghton.
 O'Brien, Thomas J., Grand Rapids.
 Ostrander, Russell C., Lansing.
 Oxtoby, James V., Detroit.
 Oxtoby, Walter E., Detroit.
 Pagel, Benjamin S., Detroit.
 Palmer, Jonathan, Jr., Detroit.
 Parker, Rakemond A., Detroit.
 Patterson, John E., Pontiac.
 Peter, James B., Saginaw.
 Power, John, Escanaba.
 Reasoner, James M., Lansing.
 Rees, Allen F., Houghton.
 Robson, Frank E., Detroit.
 Russell, Henry, Detroit.
 Ryall, Arthur H., Escanaba.
 Sabin, Leland H., Battle Creek.
 Selling, Bernard E., Detroit.
 Sessions, C. W., Grand Rapids.
 Shields, Edmund C., Lansing.
 Sloman, Adolph, Detroit.
 Smith, Hal. H., Detroit.
 Smith, Laurence W., Grand Rapids.
 Smith, Wallis C., Saginaw.
 Smith, William M., St. Johns.
 Stevens, Mark W., Flint.
 Stivers, Frank A., Ann Arbor.
 Stoddard, Elliott J., Detroit.
 Stone, John G., Houghton.
 Stone, John W., Lansing.
 Sullivan, Frank P., Sault Ste. Marie.
 Sullivan, James E., Muskegon.
 Taggart, Edward, Grand Rapids.
 Taggart, Ganson, Grand Rapids.
 †Taylor, Walter R., Kalamazoo.
 Tracy, John E., Marquette.
 †Trevor, Walter M., Detroit.
 Tuttle, Arthur J., Detroit.
 †Walling, Eugene A., Detroit.
 Walters, Henry C., Detroit.
 Warner, David A., Grand Rapids.
 Weadock, Bernard F., Detroit.
 Weadock, George W., Saginaw.
 Weadock, Jerome, Saginaw.
 Weadock, Lewis J., Bay City.
 Weadock, Thomas A. E., Detroit.
 Weadock, Vincent, Saginaw.
 Whittemore, James, Detroit.
 Whittemore, Laurence J., Detroit.
 Wieder, Herman A., Houghton.
 Wilgus, Horace L., Ann Arbor.
 Wilkins, Charles T., Detroit.
 Williams, Arthur B., Battle Creek.
 Wilson, Charles M., Grand Rapids.
 Wilson, Thomas A., Jackson.
 Wolf, Gustave A., Grand Rapids.

Woodruff, Charles M., Detroit.
 Wurzer, F. Henry, Detroit.
 Wurzer, Louis C., Detroit.
 Yelland, Judd, Escanaba.
 Yerkes, George B., Detroit.

MINNESOTA.

Abbott, Howard S., Minneapolis.
 Adams, Frank D., Duluth.
 Allen, Albert E., Fairmont.
 Allen, George J., Rochester.
 Anderson, V. E., Wheaton.
 Armstrong, James D., St. Paul.
 Arnold, John B., Duluth.
 Bailey, William D., Duluth.
 Baker, James B., Bird Island.
 Baldwin, Albert, Duluth.
 Barrett, Richardson D., Minneapolis.
 Barrows, Morton, St. Paul.
 Barton, Elijah, Minneapolis.
 Baxter, John T., Minneapolis.
 Baxter, Luther L., Fergus Falls.
 Bayer, Anthony M., Minneapolis.
 Bechhoefer, Charles, St. Paul.
 Belden, Henry C., Minneapolis.
 Bell, Roger J., Roseau.
 Best, James I., Minneapolis.
 Blair, Burr D., Winona.
 Blanchard, Will A., Anoka.
 Boardman, R. T., Minneapolis.
 Booth, Wilbur F., Minneapolis.
 Bracelen, Charles M., Minneapolis.
 Brady, Michael C., Minneapolis.
 Bremer, Paul G., St. Paul.
 Bridgman, Raymond, Minneapolis.
 Briggs, Asa G., St. Paul.
 Bright, Alfred H., Minneapolis.
 Bright, Michael S., Duluth.
 Brooks, Frank C., Minneapolis.
 Broun, A. G. T., Sherburne.
 Brown, Calvin L., St. Paul.
 Brown, Leslie L., Winona.
 Brown, Phillip E., St. Paul.
 Brown, Rome G., Minneapolis.
 Buffington, Edwin D., Stillwater.
 Buffington, George W., Minneapolis.
 Bunn, Charles W., St. Paul.
 Bunn, George L., St. Paul.
 Burchard, John E., St. Paul.
 Burr, Stiles W., St. Paul.
 Butler, Pierce, St. Paul.
 Caldwell, Chester L., St. Paul.
 Cameron, Don M., Little Falls.
 Cant, William A., Duluth.
 Carmichael, Daniel F., Minneapolis.
 Cash, Daniel G., Duluth.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MINNESOTA.

Oashe, John A., Worthington.
 Catherwood, S. D., Austin.
 Chase, Guy, St. Paul.
 Chase, Nathan H., Minneapolis.
 Child, S. R., Minneapolis.
 Childs, Clarence H., Minneapolis.
 Chrisman, Charles E., Ortonville.
 Clapp, Newel H., St. Paul.
 Clark, Homer P., St. Paul.
 Cobb, Albert O., Minneapolis.
 Collins, David T., Hibbing.
 Comfort, F. V., Stillwater.
 Congdon, Chester A., Duluth.
 Cotton, Joseph B., Duluth.
 Courtney, Henry A., Duluth.
 Crane, Jay W., Minneapolis.
 Crosby, Wilson G., Duluth.
 Culkin, Wm. E., Duluth.
 Daley, Andrew J., Laverne.
 Dancer, Herbert A., Duluth.
 d'Autremont, Charles, Jr., Duluth.
 Davis, Thomas J., Duluth.
 Davis, Tom, Marshall.
 Deutsch, Henry, Minneapolis.
 Dibell, Homer B., St. Paul.
 Dickey, J. M., St. Paul.
 Dickinson, H. D., Minneapolis.
 Dille, John I., Minneapolis.
 Dodge, Fred B., Minneapolis.
 Dodge, Louis L., Minneapolis.
 Donnelly, Charles, St. Paul.
 Dorival, Charles A., Caledonia.
 Durment, Edmund S., St. Paul.
 Duxbury, F. A., Caledonia.
 Duxbury, W. R., St. Paul.
 Dwinell, W. S., Minneapolis.
 Eaton, Leo K., Minneapolis.
 Edison, H. J., Kannon.
 Ewing, Arthur W., Madison.
 Farnham, Charles W., St. Paul.
 Finney, A. O., Minneapolis.
 Fish, Daniel, Minneapolis.
 Flannery, George P., Minneapolis.
 Flannery, Henry C., Minneapolis.
 Fomes, C. A., Montevideo.
 Fowler, Charles R., Minneapolis.
 Frankel, Hiram D., St. Paul.
 Frankel, Louis R., St. Paul.
 Furber, Fred N., Minneapolis.
 Furst, William, Minneapolis.
 Galbraith, John P., St. Paul.
 Gale, Edward C., Minneapolis.
 Gardner, Richard N., Staples.
 Gilmore, Clark W., Pipestone.
 Gjerset, Oluf, Montevideo.
 Godfrey, Percy D., St. Paul.
 Gould, Charles D., Minneapolis.

Gran, Victor H., Duluth.
 Greene, Warren E., Duluth.
 Guesmer, Arnold L., Minneapolis.
 Hageman, Harry A., St. Paul.
 Hagen, Eric O., Crookston.
 Haggard, D. A., Brainerd.
 Halbert, Clarence W., St. Paul.
 Halbert, Hugh T., St. Paul.
 Hallam, Oscar, St. Paul.
 Hammett, W. George, Hawley.
 Hanley, Martin Franklin, Minneapolis.
 Heino, John R., Duluth.
 Hempstead, Clark, Minneapolis.
 Hendricks, John Albert, Fosston.
 Hertz, A. J., St. Paul.
 Hickey, James R., St. Paul.
 Hoke, George, St. Paul.
 Holt, Andrew, St. Paul.
 Houck, Stanley B., Minneapolis.
 Hubachek, Frank R., Minneapolis.
 Hubachek, Louis A., Minneapolis.
 Hurley, Michael B., St. Paul.
 Ingersoll, George, Duluth.
 Irwin, Harry D., Minneapolis.
 Jackson, Anson B., Minneapolis.
 Janes, A. L., St. Paul.
 Jaques, Alfred, Duluth.
 Jayne, Trafford N., Minneapolis.
 Jenks, James E., St. Cloud.
 Jenswold, John, Jr., Duluth.
 Jevne, Franz G., International Falls.
 Jones, Lewis E., Breckenridge.
 Kaercher, Aaron Benj., Ortonville.
 Kellogg, Frank B., St. Paul.
 Kennedy, Richard L., St. Paul.
 Kerr, William A., Minneapolis.
 Koon, Will A., Minneapolis.
 Korn, E. B., Tracy.
 Krelwitz, Edmund H., Aitkin.
 Lancaster, William A., Minneapolis.
 Langland, George S., International Falls.
 Lanners, Harry W., Duluth.
 Larimore, John A., Minneapolis.
 Larrabee, Frank D., Minneapolis.
 Larson, Oscar J., Duluth.
 Laurisch, C. J., Mankato.
 Laybourn, O. G., Minneapolis.
 Lees, Edward, Winona.
 Lightner, William H., St. Paul.
 Lindley, Erasmus C., St. Paul.
 Loewinger, Gustavus, St. Paul.
 Lorenzen, Ernest G., Minneapolis (New York, N. Y.).
 Lum, Burt F., Minneapolis.
 Lundrigan, John E., Cass Lake.
 McClenahan, William S., Brainerd.
 McDonald, E. E., Bemidji.

MINNESOTA.

McGee, J. F., Minneapolis.
 McLaughlin, Patrick J., St. Paul.
 Manahan, James, Minneapolis.
 Markham, James E., St. Paul.
 Marshall, John, St. Paul.
 Martin, James M., Minneapolis.
 Mason, Alfred F., St. Paul.
 Mason, Grafton, St. Paul.
 Meighen, John F. D., Albert Lea.
 Mercer, Hugh V., Minneapolis.
 †Michel, Ernest A., Marshall.
 Miller, Clarence B. (Washington, D. C.),
 Duluth.
 Mitchell, Oscar, Duluth.
 Mitchell, William D., St. Paul.
 Moonan, John, Waseca.
 Moore, Albert R., St. Paul.
 Morgan, Henry A., Albert Lea.
 Morgan, Henry W., Lake City.
 Morphy, E. Howard, St. Paul.
 Morse, Joseph H., Robbinsdale.
 Nethaway, John C., St. Paul.
 Newton, Walter H., Minneapolis.
 Nye, Carroll A., Moorhead.
 O'Brien, James Edward, Minneapolis.
 O'Brien, Martin, Crookston.
 Olds, Robert Edwin, St. Paul.
 Olson, Julius J., Warren.
 Oppenheimer, Wm. H., St. Paul.
 Osborne, James W., Ely.
 Palge, James, Minneapolis.
 Park, Herbert T., Minneapolis.
 Patterson, Elmer C., Minneapolis.
 Paul, A. O., Minneapolis.
 Penney, R. L., Minneapolis.
 Pitkin, Charles A., Thief River Falls.
 Plymat, Walter A., Mankato.
 Polk, A. D., Brainerd.
 Porter, Miles, Mankato.
 Powell, Ransom J., Minneapolis.
 Power, Victor L., Hibbing.
 Prendergast, Edmund A., Minneapolis.
 Price, Frank F., Grand Rapids.
 Prior, Joseph H., Minneapolis.
 Propper, George T., Minneapolis.
 Qvale, G. E., Willmar.
 Randall, Henry E., St. Paul.
 Reynolds, Joseph Ward, Duluth.
 Richardson, Harold J., St. Paul.
 Richardson, Harris, St. Paul.
 Riordan, Philip J., Minneapolis.
 Roberts, Harlan P., Minneapolis.
 Roberts, William P., Minneapolis.
 Robertson, James, Minneapolis.
 Rockwood, Chelsea J., Minneapolis.
 Ross, Guy W. C., Minneapolis.

Ryan, M. E., Brainerd.
 Samuelson, John E., Duluth.
 Sanborn, Edward P., St. Paul.
 Sanborn, John B., St. Paul.
 Sanborn, Walter H., St. Paul.
 Same, Frank G., Austin.
 Schall, Anthony X., Jr., Minneapolis.
 Schmidt, C. B., St. Paul.
 Schmidt, Phillip C., Duluth.
 Schmidt, Harrison L., Minneapolis.
 Schroeder, Peter F., Detroit.
 Schulz, R. F., Ivanhoe.
 Schwartz, Louis L., Minneapolis.
 Selover, George H., Minneapolis.
 Severance, Cordenio A., St. Paul.
 Seymour, McNeil V., St. Paul.
 Shaw, Frank W., Minneapolis.
 Shearer, James D., Minneapolis.
 Sheean, James B., St. Paul.
 Simpson, David F., Minneapolis.
 Smith, Benjamin D., Mankato.
 Smith, Edward E., Minneapolis.
 Smith, Lyndon A., St. Paul.
 Somsen, Henry N., New Ulm.
 †Spear, George H., Duluth.
 Spencer, H. R., Duluth.
 Spillane, Charles, Waseca.
 Steele, John H., Minneapolis.
 †Stewart, F. Alex., Minneapolis.
 Stinchfield, Frederick H., Minneapolis.
 Stone, Royal A., St. Paul.
 Stringer, Edward C., St. Paul.
 Stryker, John E., St. Paul.
 Sullivan, Francis W., Duluth.
 Swan, James G., Minneapolis.
 Tawney, James A., Winona.
 Taylor, Myron D., St. Paul.
 Thatcher, F. H., Winona.
 Thompson, A. L., Mahanomen.
 Thurston, Edward S., Minneapolis.
 Thygeson, N. M., Minneapolis.
 Tiffany, Francis B., St. Paul.
 Tighe, Ambrose, St. Paul.
 Todd, Kay, St. Paul.
 Traxler, Charles J., Minneapolis.
 Tryon, Charles J., Minneapolis.
 Ueland, A., Minneapolis.
 Vauler, Rolfeff, Milaca.
 Vance, William R., Minneapolis.
 Vernon, A. H., Little Falls.
 Walte, Edward F., Minneapolis.
 Ware, John Roland, Minneapolis.
 Washburn, Jed L., Duluth.
 Webber, Marshall B., Winona.
 Well, Jonas, Minneapolis.
 Wheelwright, John O. P., Minneapolis.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MINNESOTA-MISSISSIPPI-MISSOURI.

Whelan, Ralph, Minneapolis.
 White, William G., St. Paul.
 Wilcox, Nelson J., Minneapolis.
 Will, G. A., Minneapolis.
 Williams, Charles J., Minneapolis.
 Williams, John G., Duluth.
 Williamson, James F., Minneapolis.
 Willis, John W., St. Paul.
 Wilson, Coryate S., Duluth.
 Wright, Arthur W., Austin.
 Wright, Fred B., Minneapolis.
 Young, A. L., Winthrop.
 Young, Edward B., St. Paul.
 Zollman, F. W., St. Paul.

MISSISSIPPI.

Allen, John, Tupelo.
 Barnett, D. R., Yazoo City.
 Bowers, E. J., Gulfport.
 Boseman, Albert S., Meridian.
 Brady, Thomas, Jr., Brookhaven.
 Brunini, John B., Vicksburg.
 Bryson, J. C., Vicksburg.
 Campbell, Robert B., Greenville.
 Cook, S. C., Jackson.
 †Creekmore, H. H., Water Valley.
 Cutrer, John W., Clarksdale.
 Davis, John A., Kosciusko.
 Dunn, C. C., Meridian.
 Eaton, B. E., Gulfport.
 †Elmore, H. H., Lexington.
 Flowers, James N., Jackson.
 Ford, Joe H., Houston.
 Fox, A. F., West Point.
 Frierson, John F., Columbus.
 Graham, D. M., Gulfport.
 Green, Garner Wynn, Jackson.
 Green, Marcellus, Jackson.
 Griffith, V. A., Gulfport.
 Guthrie, J. B., Raleigh.
 Hannah, Thomas C., Hattiesburg.
 Hirsch, J. K., Vicksburg.
 Hirsch, J., Vicksburg.
 Houston, David W., Aberdeen.
 Houston, Samuel M., Meridian.
 Howry, Charles B. (Washington, D. C.), Oxford.
 Jacobson, Gabe, Meridian.
 Johnston, O. G., Clarksdale.
 Kimbrough, D. M., Oxford.
 Lamb, William J., Corinth.
 Landau, Moses David, Vicksburg.
 McClurg, Monroe, Greenwood.
 McDonald, Will T., Bay St. Louis.
 McDowell, James R., Jackson.
 McFarland, Ben Holliday, Aberdeen.

McMorrhough, G. H., Lexington.
 Marshall, Carl, Bay St. Louis.
 May, Geo. Williams, Jackson.
 Mayes, Robert B., Jackson.
 Mize, Joseph H., Gulfport.
 Monks, F. L., Pass Christian.
 Moody, Cary C., Indianola.
 Niles, H. C., Kosciusko.
 Noel, Edmund F., Lexington.
 Oldham, L. E., Oxford.
 †Owen, F. C., Columbus.
 Pepper, A. M., Lexington.
 Percy, Leroy, Greenville.
 Reed, Richard F., Jackson.
 Ricketts, John B., Jackson.
 Robins, John Quitman, Tupelo.
 Sanders, J. O. S., Jackson.
 †Schauber, A. B., Laurel.
 Scott, Charles, Rosedale.
 Sexton, James S., Hazlehurst.
 Shanda, A. W., Cleveland.
 Somerville, Thomas H., University.
 Oxford.
 Stevens, J. Morgan, Jackson.
 Stone, James, Sr., Oxford.
 Stone, William Evans, Oxford.
 Stovall, A. T., Okolona.
 Thompson, Robert H., Jackson.
 Travis, S. Z., Hattiesburg.
 Watkins, H. V., Jackson.
 Webster, Edgar, Oxford.
 Welch, W. S., Laurel.
 Wells, Ben H., Jackson.
 Wells, W. Calvin, Jr., Jackson.
 White, Walter A., Gulfport.
 Whittington, William Madison, Greenwood.
 †Wills, T. J., Raleigh.
 Yerger, L. P., Greenwood.

MISSOURI.

Abbott, A. L., St. Louis.
 Adams, Elmer B., St. Louis.
 Allen, Charles Claffin, St. Louis.
 Allen, Clifford B., St. Louis.
 Allen, D. C., Liberty.
 Andrews, E. D., St. Louis.
 Andrews, Sidney F., St. Louis.
 Angert, Eugene H., St. Louis.
 Anthony, Robert A., Fredericktown.
 Armstrong, Fred, Jr., St. Louis.
 Arnold, Mercer, Joplin.
 Ashley, Henry D., Kansas City.
 Atwood, John H., Kansas City.
 Babbitt, Byron F., St. Louis.
 Bakewell, Paul, St. Louis.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

MISSOURI.

- Ball, Eugene E., Kansas City.
 Ball, R. E., Kansas City.
 Banister, E. W., St. Louis.
 Barbour, Edward A., Springfield.
 Barclay, Shepard, St. Louis.
 Barker, Harry C., St. Louis.
 Barker, John T., Jefferson City.
 Barnes, Clarence A., Mexico.
 Barnett, Raymond G., Kansas City.
 Barth, Irvin V., St. Louis.
 †Bass, S. S., St. Louis.
 Bates, Charles W., St. Louis.
 Bean, Edwin J., Jefferson City.
 Beck, George F., St. Louis.
 Becker, Wm. Dee, St. Louis.
 Biggs, Davis, St. Louis.
 Bird, Daniel E., Kansas City.
 Bishop, C. Orrick, St. Louis.
 Bishop, John E., St. Louis.
 Blair, Albert, St. Louis.
 Blair, James T., Jefferson City.
 Blanton, Horace H., Kansas City.
 †Blayne, J. M., Jr., St. Louis.
 Blevins, John A., St. Louis.
 Bliss, Harmon J., St. Louis.
 Block, George M., St. Louis.
 Blodgett, Henry W., St. Louis.
 Bond, Sterling P., St. Louis.
 Bond, Thomas, St. Louis.
 Botsford, James S., Kansas City.
 Bowersock, Justin D., Kansas City.
 Bowker, W. M., Nevada.
 †Boxley, Fred. A., Kansas City.
 Boyer, John S., St. Joseph.
 Britton, Roy F., St. Louis.
 Brooks, Joseph S., Kansas City.
 Brown, R. A., St. Joseph.
 Brown, Stephen S., Jefferson City.
 Brumback, Hermann, Kansas City.
 †Brunn, Charles W., Kansas City.
 Bryan, P. Taylor, St. Louis.
 Bryson, Joseph M., St. Louis.
 Buder, Gustavus A., St. Louis.
 Buder, Oscar E., St. Louis.
 †Burgess, S. A., St. Louis.
 †Burke, Richard D., Kansas City.
 Burnham, Frank T., Kansas City.
 †Burns, Ira B., Kansas City.
 Burton, Robert, Wheatland.
 †Calhoun, John W., St. Louis.
 Cannon, Thomas D., St. Louis.
 †Caplan, Ephraim, St. Louis.
 Carr, James A., St. Louis.
 Carr, Thomas Percy, St. Louis.
 Carroll, James E., St. Louis.
 Carter, Frank W., St. Louis.
 Caulfield, Henry S., St. Louis.
 Cave, Rhodes E., St. Louis.
 †Chapman, O. J., Kansas City.
 Charles, Benjamin H., St. Louis.
 †Clark, Champ, Bowling Green.
 Clark, John Abbot, Cameron.
 Clarke, Enos, St. Louis.
 Cobbs, Thomas H., St. Louis.
 Cochran, Alexander G., St. Louis.
 Coles, Walter D., St. Louis.
 Collier, Luther T., Kansas City.
 Collins, Charles Cummings, St. Louis.
 Collins, Robert E., St. Louis.
 Comer, Charles P., St. Louis.
 Cook, J. William, Crane.
 Cook, W. B. M., Montgomery City.
 †Cooper, Armwell L., Kansas City.
 Creason, Goodwin, Kansas City.
 Crews, Thomas B., St. Louis.
 Cullen, P. H., St. Louis.
 Cummings, Campbell, St. Louis.
 Curlee, Francis M., St. Louis.
 Currie, Dwight D., St. Louis.
 Curtis, William S., St. Louis.
 D'Arcy, Edward, St. Louis.
 Davis, J. Lionberger, St. Louis.
 Davis, Manton, St. Louis.
 Davis, Samuel, Marshall.
 Dean, Oliver H., Kansas City.
 Deatherage, B. F., Kansas City.
 Denny, J. H., Glasgow.
 Denvir, John B., Jr., St. Louis.
 De Reign, Albert, Benton.
 Dickson, Joseph, Jr., St. Louis.
 Diehm, Walter, St. Louis.
 Dodge, Ernest C., St. Louis.
 Dodson, J. M., Kansas City.
 Donaldson, Glenn R., Kansas City.
 Donaldson, William R., St. Louis.
 Donnell, Forrest O., St. Louis.
 †Douglass, Shannon C., Kansas City.
 Downey, Francis C., Kansas City.
 †Draffen, W. V., Booneville.
 †Dungan, T. O., Oregon.
 Durham, L. E., Kansas City.
 Dyer David P., St. Louis.
 Early, Marion C., St. Louis.
 Eastin, Lucien J., St. Joseph.
 Eaton, John A., Kansas City.
 †Eby, D. H., Hannibal.
 Edwards, Verne D., Kansas City.
 Eggers, Theodore C., St. Louis.
 Elder, Conway, St. Louis.
 Elliot, Edward C., St. Louis.
 Ellison, James, Kansas City.
 Estep, Thomas B., St. Louis.

† Elected by Association at Annual Meeting, 1915.

† Elected by Executive Committee between Meetings.

MISSOURI.

Faris, Charles B., Jefferson City.
 Fauntleroy, Thomas T., St. Louis.
 Ferriss, Franklin, St. Louis.
 Ferriss, Henry T., St. Louis.
 †Flournoy, William S., Kansas City.
 Fordyce, Samuel W., Jr., St. Louis.
 Forlow, Frank L., Webb City.
 Fox, Charles J., St. Louis.
 Frank, Harry A., St. Louis.
 †Franklin, N. A., Unionville.
 Fry, W. W., Jr., Mexico.
 Fulkerson, Frank B., St. Joseph.
 Gage, John C., Kansas City.
 Gantt, E. S., Mexico.
 Gardner, A. E. L., Clayton.
 Gareche, Vital W., St. Louis.
 Garvin, William Everett, St. Louis.
 Gates, Edward P., Independence.
 Gentry, North T., Columbia.
 Gentry, William R., St. Louis.
 German, Charles W., Kansas City.
 Gilbert, Charles E., Nevada.
 Gilbert, William S., Kansas City.
 Godard, Porter B., Kansas City.
 Goodrich, James E., Kansas City.
 Gossett, Alfred N., Kansas City.
 Grant, Lee W., St. Louis.
 Graves, W. W., Jefferson City.
 Green, Ernest A., St. Louis.
 Green, John F., St. Louis.
 Greensfelder, Bernard, St. Louis.
 Griffin, Everett Paul, St. Louis.
 Grimm, J. Hugo, St. Louis.
 Grossman, Emanuel M., St. Louis.
 Grund, Adolph R., St. Louis.
 Hadley, Herbert S., Kansas City.
 Haecussler, Harry H., St. Louis.
 Haff, Delbert J., Kansas City.
 Hagerman, Frank, Kansas City.
 Hagerman, James, Jr., St. Louis.
 Hagerman, Lee W., St. Louis.
 Hall, Claud D., St. Louis.
 Hall, George, Trenton.
 Hall, Homer, St. Louis.
 Hamilton, Henry A., St. Louis.
 Hancock, W. Scott, St. Louis.
 †Handy, Simeon A., Kansas City.
 Harkless, James H., Kansas City.
 †Harris, Brown, Kansas City.
 Harris, Geo. D., St. Louis.
 †Harris Virgil McClure, St. Louis.
 †Harris, William H. J., St. Louis.
 Harvey, Thomas B., St. Louis.
 Haslam, Lewis S., St. Louis.
 Hausman, Albert E., St. Louis.
 †Herrick, Robert T., Kansas City.
 Heyman, Lester I., St. Louis.

Hill, David W., Poplar Bluff.
 †Hines, T. D., Jackson.
 Histed, Clifford, Kansas City.
 Hitchcock, George C., St. Louis.
 †Hobeln, Frank A., St. Louis.
 Hogan, Granville, St. Louis.
 Hogsett, William S., Kansas City.
 Holliday, John Hodgman, St. Louis.
 Holt, William G., Kansas City.
 Hook, Inghram D., Kansas City.
 Hostetter, J. D., Bowling Green.
 Hough, Warwick M., St. Louis.
 Howell, Charles M., Kansas City.
 Howell, J. L., St. Louis.
 †Hubbell, Platte, Trenton.
 Hunter, Joseph W., California.
 Hutchings, Chas. Frederick, Kansas City.
 †Hunslepen, F. W., St. Louis.
 Ingraham, Robert J., Kansas City.
 James, Eldon R., Columbia.
 †Jamison, Dorsey A., St. Louis.
 Johnson, Charles P., St. Louis.
 Johnson, Frank G., Kansas City.
 Johnson, H. W., Montgomery City.
 Johnson, John D., St. Louis.
 Johnson, Waldo P., Osceola.
 Johnson, William T., Kansas City.
 Jonas, M. B., St. Louis.
 †Jones, Elliott H., Kansas City.
 Jones, James C., St. Louis.
 Jones, Richard A., St. Louis.
 Jones, S. J., Carrollton.
 Jourdan, Morton, St. Louis.
 Judson, Frederick N., St. Louis.
 Kehde, Alfred, St. Louis.
 Kehr, Edward C., St. Louis.
 Kelsey, Fred W., Joplin.
 Kemp, D. H., Monett.
 Keyser, William W., St. Louis.
 King, James E., St. Louis.
 †Kinley, Isaac H., Kansas City.
 †Kinsey, William M., St. Louis.
 Kirby, Daniel Noyes, St. Louis.
 Kirshner, Charles H., Kansas City.
 Kneisley, Russell, Carrollton.
 Ladd, Sanford B., Kansas City.
 Lamar, Robert, Houston.
 Landon, Thad. B., Kansas City.
 Langworthy, H. M., Kansas City.
 Lashly, Jacob M., St. Louis.
 Law, William T., Kansas City.
 Lawler, Clement A., Kansas City.
 Lawson, John D., Columbia.
 Lawson, Martin E., Liberty.
 Leahy, John S., St. Louis.
 Lee, Edwin W., St. Louis.

† Elected by Executive Committee between Meetings.

MISSOURI.

Lee, Jay M., Kansas City.
 Lee, John F., St. Louis.
 Lehmann, Frederick W., St. Louis.
 Lehmann, Sears, St. Louis.
 Lilly, Major J., Moberly.
 Lionberger, Isaac H., St. Louis.
 Lloyd, James T., Shelbyville.
 Long, Breckinridge, St. Louis.
 Lorie, J. L., Kansas City.
 Loxier, Ralph F., Carrollton.
 †Lucas, John H., Kansas City.
 Lyon, Montague, St. Louis.
 Lyons, Martin, Kansas City.
 McAllister, Frank W., L'arna.
 McBaine, J. P., Columbia.
 McChesney, S. P., St. Louis.
 McCune, Henry L., Kansas City.
 McDavid, Frank M., Springfield.
 McDonald, Jesse, St. Louis.
 McLeod, W. D., Kansas City.
 †McNeely, John D., St. Joseph.
 McPheeters, Samuel B., St. Louis.
 McPheeters, Thomas S., St. Louis.
 McQuillin, E., St. Louis.
 Macauley, C. J., St. Louis.
 Mackay, George C., St. Louis.
 Madden, Terrence J., Kansas City.
 Mahan, George A., Hannibal.
 Major, Elliott W., Jefferson City.
 †Mann, Edgar P., Kansas City.
 Marley, A. S., Kansas City.
 Martin, William McC., St. Louis.
 Michaels, Wm. C., Kansas City.
 †Miller, Arthur, Kansas City.
 Miller, Edward T., St. Louis.
 Miller, Franklin, St. Louis.
 Mitchell, Orestes, St. Joseph.
 †Mitchell, Samuel A., St. Louis.
 Mix, George E., St. Louis.
 Moloney, Robert E., St. Louis.
 Montgomery, Theodore L., Kahoka.
 Mooneyhan, R. A., Carthage.
 Moore, Frank H., Kansas City.
 Moore, George H., St. Louis.
 Moore, Hunt C., Kansas City.
 †Morgan, William G., St. Louis.
 Morrison, Edwin R., Kansas City.
 Morrow, Thomas R., Kansas City.
 Moseley, A. G., St. Louis.
 Muench, Hugo, St. Louis.
 Muench, Julius T., St. Louis.
 Nagel, Charles (Washington, D. C.),
 St. Louis.
 Nardin, William T., St. Louis.
 Neville, James T., Springfield.
 New, Alexander, Kansas City.

Norton, George P., Kansas City.
 Nortoni, Albert D., St. Louis.
 Oberschelp, Henry H., St. Louis.
 †O'Donnell, M. A., Kansas City.
 O'Donnell, Martin J., Kansas City.
 Oliver, Robert Burret, Cape Girardeau.
 Orr, Isaac H., St. Louis.
 Orr, W. J., Springfield.
 Orrick, Allen C., St. Louis.
 Ottoly, L. Frank, St. Louis.
 Overall, John H., St. Louis.
 †Parks, Peyton A., Clinton.
 Pattison, Everett W., St. Louis.
 Parton, John G., Independence.
 Peters, James W. S., Kansas City.
 Peterson, J. W., St. Joseph.
 Phillips, John F., Kansas City.
 Platt, Wm. H. H., Kansas City.
 Pierce, Thomas M., St. Louis.
 Pike, Vinton, St. Joseph.
 Pirkey, Earl M., St. Louis.
 Polk, Charles M., St. Louis.
 Powell, Elmer N., Kansas City.
 Powell, Walter A., Kansas City.
 Priest, Henry S., St. Louis.
 Ragland, William T., Paris.
 Randolph, Kendall B., St. Joseph.
 Rassieur, Leo S., St. Louis.
 Rassieur, Theodore, St. Louis.
 †Reed, James A., Kansas City.
 Reed, M. A., St. Joseph.
 Reinhardt, George, Kansas City.
 Remley, Theodore, Kansas City.
 Reynolds, George D., St. Louis.
 Reynolds, George Vogdes, St. Louis.
 Reynolds, Thomas H., Kansas City.
 Rhodes, M. E., Potosi.
 †Riley, Henry C., New Madrid.
 Robbins, Alexander H., St. Louis.
 Robert, Douglas W., St. Louis.
 Roberts, James L., Kansas City.
 Robinson, Elijah, Kansas City.
 Rodgers, R. D., Mexico.
 Rombauer, Edgar R., St. Louis.
 Rombauer, Roderick E., St. Louis.
 Rosenberg, Jules C., Kansas City.
 Rosenzweig, Grant I., Kansas City.
 Rozzelle, Frank F., Kansas City.
 Russell, Joseph J., Charleston.
 Ryan, O'Neill, St. Louis.
 Ryan, Thomas F., St. Joseph.
 Saunders, Walter H., St. Louis.
 Scarritt, William C., Kansas City.
 †Schibaby, Frank, Kansas City.
 Schmoock, John, Springfield.
 Schnurmacher, Benjamin, St. Louis.

† Elected by Executive Committee between Meetings.

MISSOURI-MONTANA.

Schofield, F. L., Hannibal.
 Sea, John A., Independence.
 †Shelley, William W., Kansas City.
 †Shelton, Nat. M., Macon.
 Shepley, Arthur B., St. Louis.
 †Shepley, John F., St. Louis.
 Sherman, Adrian F., Kansas City.
 †Sidener, Howard, St. Louis.
 Skinker, Thomas K., St. Louis.
 Small, Harold R., St. Louis.
 Smart, James G., Kansas City.
 Smith, Luther Ely, St. Louis.
 Smith, Thomas J., Butler.
 Snider, E. L., Kansas City.
 Spalding, Elliott, St. Joseph.
 Spellman, Clarence L., Kansas City.
 Spencer, A. E., Joplin.
 Spencer, R. L., St. Joseph.
 Spencer, Selden P., St. Louis.
 Sprinkle, Thomas H., St. Louis.
 Stewart, Alexander P., Cape Girardeau.
 Stewart, Alphonso Chase, St. Louis.
 Stocks, S. D., Mexico.
 Stone, Kimbrough, Independence.
 Stringfellow, William E., St. Joseph.
 Strother, Albert R., Kansas City.
 Sturdevant, Willard L., St. Louis.
 Sullivan, Frank H., St. Louis.
 Swartz, Solomon L., St. Louis.
 Swartz, Edwin M., St. Joseph.
 Taussig, James, St. Louis.
 Taylor, Perry Post, St. Louis.
 †Ten Broek, G. H., St. Louis.
 †Thacher, John H., Kansas City.
 Thomas, Wm. O., Kansas City.
 Thomason, Lew R., Poplar Bluff.
 Thompson, Guy A., St. Louis.
 Thompson, William B., St. Louis.
 Thurmond, N. D., Fulton.
 Titus, Frank, Kansas City.
 Todd, Ben E., Kansas City.
 Turpin, Rees, Kansas City.
 Van Valkenburgh, Arba S., Kansas City.
 Vierling, Frederick, St. Louis.
 Vineyard, J. J., Kansas City.
 †Von Schrader, Otto V., St. Louis.
 †Voyles, David W., St. Louis.
 Wagner, Hugh E., St. Louis.
 Walsh, Edward P., St. Louis.
 Walsh, Frank P., Kansas City.
 Walther, Lambert E., St. Louis.
 Wammack, Ralph, Bloomfield.
 Waters, L. H., Kansas City.
 Watta, Millard F., St. Louis.
 Werner, Percy, St. Louis.
 West, Samuel H., St. Louis.

Wheless, Joseph, St. Louis.
 White, Edward J., Kansas City.
 White, Thomas W., St. Louis.
 Whybark, Moses, Cape Girardeau.
 Wilfey, Lebbeus R. (Mexico City, Mexico), St. Louis.
 Wilfey, Xenophon P., St. Louis.
 Williams, C. B., St. Louis.
 Williams, James O., Kansas City.
 Williams, R. P., St. Louis.
 Williams, Tyrrell, St. Louis.
 Williams, W. M., Boonville.
 Williamson, John I., Kansas City.
 Wilson, Albert L., Kansas City.
 Wilson, Eugene S., St. Louis.
 Wilson, Mark T., Kansas City.
 Winstead, George W., St. Louis.
 Wislissamus, Fred A., St. Louis.
 Withrow, James E., St. Louis.
 Woerner, Wm. F., St. Louis.
 Wood, Benjamin A., St. Louis.
 Wood, John M., St. Louis.
 Wyrick, Taylor B., St. Louis.

MONTANA.

†Allen, Elbert F., Livingston.
 †Belden, Oliver W., Lewistown.
 Bourquin, George M., Butte.
 Brantley, Theodore, Helena.
 Clark, W. A., Virginia City.
 Cooper, Ransom, Great Falls.
 Day, E. C., Helena.
 Dignan, Thomas, Glasgow.
 †Dusenbery, Verne D., Roundup.
 Farr, George W., Miles City.
 †Gunn, Milton S., Helena.
 Hartman, W. S., Bozeman.
 Harwood, Edgar N., Butte.
 Holloway, William L., Helena.
 Hunt, William H., Helena.
 Johnston, W. M., Billings.
 †Keeley, Wm. E., Deer Lodge.
 Kelley, C. F., Butte.
 Kremer, J. Bruce, Butte.
 McKenzie, John, Great Falls.
 †Mathews, John R., Townsend.
 Mathews, Thomas J., Roundup.
 †Murphy, Horner G., Helena.
 Noffsinger, W. N., Kalispell.
 Nolan, C. B., Helena.
 †Parsons, Harry H., Missoula.
 Pemberton, William Y., Helena.
 †Phelan, Edward D., Helena.
 Pierson, George W., Billings.
 †Pigott, Wm. T., Helena.

† Elected by Executive Committee between Meetings.

† Elected by Association at Annual Meeting, 1915.

MONTANA-NEBRASKA.

Pomeroy, Charles W., Kalispell.
 Rodgers, William B., Butte.
 Ross, David, Kalispell.
 Sanner, Sidney, Helena.
 Scallon, William, Helena.
 Shelton, George F., Butte.
 Smith, D. F., Kalispell.
 Smith, H. C., Helena.
 Stephens, W. J., Missoula.
 Stivers, D. Gay, Butte.
 Sulgrove, James, Choteau.
 Walsh, James A., Helena.
 Walsh, Thomas J. (Washington, D. C.),
 Helena.
 Wood, Sterling M., Billings.
 †Word, R. Lee, Helena.

NEBRASKA.

Abbott, O. E., Fremont.
 Adams, Geo. A., Lincoln.
 Allen, William V., Madison.
 Anderson, O. C., West Point.
 Baker, Benjamin S., Omaha.
 †Baldridge, H. H., Omaha.
 Barnes, John B., Lincoln.
 Barnes, W. H., Fairbury.
 Barrett, Dexter T., Lincoln.
 Barsby, John, Geneva.
 Baxter, Irving F., Omaha.
 Beeler, Joseph G., North Platte.
 Berry, Frederick S., Wayne.
 Blackburn, Thomas W., Omaha.
 Bockes, Thomas W., Central City.
 Brogan, Francis A., Omaha.
 Brome, Clinton, Omaha.
 Brown, Elmer W., Lincoln.
 Brown, Norris, Omaha.
 Bryant, Wilbur F., Hartington.
 Burbank, Byron G., Omaha.
 Burnett, Arthur H., Omaha.
 Cheney, L. H., Stockville.
 Congdon, I. E., Omaha.
 Cook, E. A., Lexington.
 Cowin, John C., Omaha.
 Crane, Thomas D., Omaha.
 Crites, Albert W., Chadron.
 Crites, Edwin D., Chadron.
 Crofoot, Lodowick F., Omaha.
 Cunningham, M. O., Omaha.
 Davidson, Samuel P., Tecumseh.
 Davis, Claude A., Ord.
 Day, Curtis L., Pender.
 DeBord, William A., Omaha.
 DeLamatre, Clayton Wm., Omaha.
 Denney, Charles H., Fairbury.

Dilworth, W. A., Holdrege.
 Douglas, J. A., Bassett.
 Dowling, Wm. L., Madison.
 Doyle, T. J., Lincoln.
 Dryden, John N., Kearney.
 Dunham, Braddock H., Omaha.
 Dwyer, D. O., Plattsmouth.
 Edmunds, J. H., Rushville.
 Elgutter, Charles S., Omaha.
 Ellick, Alfred G., Omaha.
 English, James P., Omaha.
 Falloon, Edwin, Falls City.
 Flaherty, D. J., Lincoln.
 Foster, Fred C., Lincoln.
 Fraser, William C., Omaha.
 Fuller, Philip H., Hastings.
 Gering, Matthew, Plattsmouth.
 Goodall, Henry E., Ogallala.
 Greene, Philip F., Lincoln.
 Greene, Robert J., Lincoln.
 Gurley, William F., Omaha.
 Hainer, Eugene J., Lincoln.
 Hall, Frank M., Lincoln.
 Hall, Matthew A., Omaha.
 Haller, Charles W., Omaha.
 Hamer, Francis G., Lincoln.
 Hartigan, Michel A., Hastings.
 Hastings, George H., Crete.
 Hastings, W. G., Lincoln.
 Herdman, William H., Omaha.
 Hobart, Ralph W., Gering.
 Hoffke, Charles, Omaha.
 Howard, T. J., Greeley.
 Hunt, George J., Bridgeport.
 James, J. W., Hastings.
 James, Richard C., Falls City.
 Jefferis, Albert W., Omaha.
 Jessen, Paul, Nebraska City.
 Johnson, Alvin F., Omaha.
 Keefe, Harry L., Walthill.
 Keller, Charles B., Omaha.
 Kelsey, Charles H., Norfolk.
 Kennedy, Howard, Lincoln.
 Kennedy, J. A. C., Omaha.
 Keyes, Harlow W., Indianola.
 Kinkaid, M. P., O'Neill.
 Kinsler, James C., Omaha.
 Lambert, William C., Omaha.
 Learned, Myron L., Omaha.
 Leary, Edward F., Omaha.
 Letton, Charles B., Lincoln.
 Livingston, D. W., Nebraska City.
 Loomis, George L., Fremont.
 Loomis, N. H., Omaha.
 McClenahan, Daniel H., Lincoln.
 McDonald, Charles G., Omaha.

† Elected by Executive Committee between Meetings.

NEBRASKA-NEVADA.

McGilton, E. G., Omaha.
 McHugh, William D., Omaha.
 McLaughlin, A. A., Omaha.
 Magee, Jerome P., Omaha.
 Mahoney, Timothy J., Omaha.
 Martin, Edward M., Omaha.
 Martin, J. C., Central City.
 Matters, Thomas H., Omaha.
 Meeker, Charles W., Imperial.
 Meserve, W. A., Creighton.
 Miles, William P., Sidney.
 Miller, John A., Kearney.
 Mills, M. A., Osceola.
 Montgomery, Carroll S., Omaha.
 Moorhead, Harley G., Omaha.
 Morrow, William, Scottsbluff.
 Morsman, Edgar M., Jr., Omaha.
 Mullen, Arthur F., Omaha.
 Murphy, Henry, Omaha.
 Nolan, Thomas J., Omaha.
 O'Neill, Harry E., Tuckerville.
 Page, Ernest C., Omaha.
 Paine, Bayard H., Grand Island.
 Palmer, H. C., Clay Center.
 Parish, John W., Omaha.
 Pedler, J. S., Loup City.
 Pemberton, L. M., Beatrice.
 Perry, Ernest Bert, Cambridge.
 Polk, C. S., Lincoln.
 Proudft, Robert M., Friend.
 Pyle, E. P., Stockville.
 Ramsey, William C., Omaha.
 Ready, James H., Omaha.
 Redick, Oak C., Omaha.
 Redick, William A., Omaha.
 Reese, Mancoah B., Lincoln.
 Rich, Edson, Omaha.
 Rinaker, Samuel, Beatrice.
 Rine, John A., Omaha.
 Robbins, Charles A., Lincoln.
 Robinson, J. C., Hartington.
 Root, Jesse L., Omaha.
 Rosenthal, Herman, Lincoln.
 Ross, Elmer E., Central City.
 Rush, Sylvester R., Omaha.
 Ryan, Charles G., Grand Island.
 Sawyer, Andrew J., Lincoln.
 †Scandrett, B. W., Omaha.
 Scattergood, A. W., Ainsworth.
 Schall, W. A., Omaha.
 Scott, Edgar H., Omaha.
 Sears, Charles W., Omaha.
 Sedgwick, Samuel H., Lincoln.
 Shotwell, A. V., Omaha.
 Smith, Howard B., Omaha.
 Squires, Edwin E., Broken Bow.

Stanley, Marion F., Aurora.
 Stewart, Willard E., Lincoln.
 Strode, Jesse B., Lincoln.
 Talbot, A. R., Lincoln.
 TePoel, Louis J., Omaha.
 Thomas, J. J., Seward.
 Thompson, William H., Grand Island.
 Tuttle, Samuel J., Lincoln.
 Vinsonhaler, Duncan M., Omaha.
 Wakeley, Arthur C., Omaha.
 Ware, John D., Omaha.
 Webster, John L., Omaha.
 Wells, Arthur R., Omaha.
 Westerfield, Ellery H., Omana.
 Wilson, Henry H., Lincoln.
 Wolfenbarger, A. G., Lincoln.
 Woodland, Frank H., Omaha.
 Woodrough, Joseph W., Omaha.
 †Wright, Fred. A., Scottsbluff.
 Young, Raymond G., Omaha.

NEVADA.

Atkinson, Harry H., Tonopah.
 Averill, Mark R., Tonopah.
 †Badt, Milton B., Elko.
 Bartine, Horace F., Carson City.
 Bartlett, George A., Reno.
 Belford, Samuel W., Reno.
 Boyd, James T., Reno.
 Breen, Peter, Eureka.
 Brown, George S., Reno.
 Brown, Hugh H., Tonopah.
 Burton, Clarence F., Reno.
 †Caine, Edwin E., Elko.
 Callahan, James A., Winnemucca.
 Campbell, Louis G., Winnemucca.
 Chandler, Charles S., Ely.
 Cheney, Azro E., Reno.
 Coleman, Benjamin W., Carson City.
 Cooke, Herman R., Tonopah.
 Detch, Milton M., Goldfield.
 Downer, Sylvester S., Reno.
 †Dueker, Edward A., Winnemucca.
 †Dysart, James, Elko.
 Farrington, E. S., Carson City.
 Finch, James D., Reno.
 Forman, William, Tonopah.
 French, LeRoy N., Reno.
 Gibbons, L. A., Reno.
 Green, George S., Reno.
 Harwood, Cole L., Reno.
 Hawkins, Prince A., Reno.
 Horsey, Charles Lee, Pioche.
 Hoyt, Henry M., Reno.
 †Klein, E. A., Elko.

† Elected by Executive Committee between Meetings.

NEVADA-NEW HAMPSHIRE-NEW JERSEY.

Lockhart, James M., Ely.
 McCarren, P. A., Carson City.
 Moran, Thomas F., Reno.
 Norcross, Frank H., Carson City.
 Orr, John S., Reno.
 Pittman, Frank K., Tonopah.
 Platt, Samuel, Carson City.
 Poujade, Joseph, Carson City.
 Price, Robert M., Reno.
 Richards, Robert, Reno.
 Sanders, John A., Tonopah.
 Somers, Peter J., Goldfield.
 Summerfield, Sardia, Reno.
 Taber, E. J. L., Elko.
 †Talbot, George F., Carson City.
 Thatcher, George B., Carson City.
 Thompson, John G., Goldfield.
 Tilden, Augustus, Goldfield.
 †Van Fleet, Carey, Elko.
 †Williams, Otto T., Elko.
 Withers, Robert G., Reno.

NEW HAMPSHIRE.

Adams, Edward H., Portsmouth.
 Albin, John H., Concord.
 Allen, John E., Keene.
 Branch, Oliver E., Manchester.
 Brown, Harry J., Concord.
 Burleigh, Alvin, Plymouth.
 Cain, Orville E., Keene.
 Chamberlin, Robert N., Berlin.
 Chandler, William E., Concord.
 Colby, James F., Hanover.
 Demond, Fred. Clarence, Concord.
 Eastman, Samuel O., Concord.
 Hall, Daniel, Dover.
 Hollis, Allen, Concord.
 Hurd, Henry N., Claremont.
 †Jackson, Robert, Concord.
 Jewett, Stephen S., Laconia.
 Jones, Edwin F., Manchester.
 Kent, Henry P., Lancaster.
 Libby, Jesse F., Gorham.
 Madden, Joseph, Keene.
 Madigan, Thomas H., Jr., Manchester.
 Matthews, Joseph S., Concord.
 †Murchie, Alexander, Concord.
 Owen, Stanton, Laconia.
 Parsons, Frank N., Franklin.
 Peaslee, Robert J., Manchester.
 Perkins, David Walter, Manchester.
 Pierce, Kirk D., Hillsboro.
 †Plummer, William A., Laconia.
 Remick, James W., Concord.
 Rich, George F., Berlin.

†Riedell, John H., Manchester.
 Schouler, James, Intervale.
 Shackford, Samuel B., Dover.
 Snow, Leslie P., Rochester.
 Spaulding, Harry W., Manchester.
 Stevens, Henry Webster, Concord.
 Stevens, Raymond B., Landaff.
 Streeter, Frank S., Concord.
 Sullivan, Patrick H., Manchester.
 †Tutherly, Wm., Claremont.
 Walker, Reuben E., Concord.
 Warren, George H., Manchester.
 Woodworth, Edw. K., Concord.

NEW JERSEY.

Anthony, Roy Foster, Newark.
 Applegate, John S., Red Bank.
 Applegate, John S., Jr., Red Bank.
 Armstrong, Edward Ambler, Princeton.
 Bacon, Walter H., Bridgeton.
 Baker, J. Thompson, Wildwood.
 Beekman, Alston, Red Bank.
 Benjamin, Frank, Newark.
 Bergen, Frank, Newark.
 Bergen, James J., Somerville.
 Benson, J. W. Rufus, Hoboken.
 Bilder, David H., Paterson.
 Boardman, Richard, Jersey City.
 Bolte, G. Arthur, Atlantic City.
 Bonsall, John H., Morristown.
 Bourgeois, George A., Atlantic City.
 Bowman, Harold Martin, Montclair.
 Buchanan, James, Trenton.
 Buchanan, Malcolm G., Trenton.
 Burnham, Frederick G., Morristown.
 Cafferata, Harry J., Hoboken.
 Carey, William H., Jersey City.
 Carr, Harvey F., Camden.
 Carrow, Howard, Camden.
 Chamberlin, Frederic E., Bayonne.
 Child, Francis, Jr., Newark.
 Clevenger, William M., Atlantic City.
 Coan, Francis P., Perth Amboy.
 Cole, Clarence L., Atlantic City.
 Collie, Edward M., Newark.
 Collins, Gilbert, Jersey City.
 Cooper, Howard M., Camden.
 Cooper, S. Ira, Passaic.
 Cornish, Abram H., Newark.
 Coulomb, H. R., Atlantic City.
 Coult, Joseph, Newark.
 Cunningham, Robert H., Paterson.
 Currier, Richard D., Newark.
 Dalrymple, George H., Passaic.
 Daly, Peter F., New Brunswick.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

NEW JERSEY.

Davis, Thomas A., Orange.
 Day, Edward A., Newark.
 Day, William T., Newark.
 Dixon, Huston, Trenton.
 Doremus, Cornelius (Hackensack), Ridge-
 wood.
 Duffield, Edward D., Newark.
 Dumont, Wayne (New York, N. Y.),
 Paterson.
 Dunn, Michael, Paterson.
 Ely, John J., Freehold.
 Emery, John R., Morristown.
 English, Conover, Newark.
 Everett, Russell M., Newark.
 Fallon, John J., Hoboken.
 Fisher, James, Hackensack.
 Fort, J. Franklin, Newark.
 French, Thomas E., Camden.
 Garrison, Lindley M. (Washington,
 D. C.), Jersey City.
 Gaskill, Edmund C., Jr., Atlantic City
 Gaskill, Robert S., Mount Holly.
 Gebhardt, Wm. C., Clinton.
 Gedney, Jerome D., East Orange.
 Gilhooly, Patrick H., Elizabeth.
 Goodell, Edwin B., Montclair.
 Gourley, William B., Paterson.
 Griggs, John W. (New York, N. Y.),
 Paterson.
 Haight, Thomas G., Jersey City.
 Hamilton, Herman L., Egg Harbor City.
 Hand, Morgan, Cape May Court House.
 Hardin, John R., Newark.
 Hartshorne, Charles H., Jersey City.
 Hayes, James H., Jr., Atlantic City.
 Heine, M. Casewell, Newark.
 Hood, Louis, Newark.
 Howe, William Reed, Orange.
 Humphreys, John B., Paterson.
 Hunt, Henry C., Newark.
 Hurrell, Alfred, Newark.
 Hutchinson, Barton B., Trenton.
 Jess, Frank B., Camden.
 Johnson, William M., Hackensack.
 Jones, William Clayton, Camden.
 Kalisch, Samuel, Newark.
 Katzenbach, Edward L., Trenton.
 Keasbey, Edward Q., Newark.
 Keasbey, George M., Newark.
 Kennedy, Harry Cobb, Camden.
 Lane, Harry, Jersey City.
 Lane, Merritt, Jersey City.
 Leake, Eugene W., Jersey City.
 Leber, Samuel F., Newark.
 Lewis, William L., Paterson.
 Lindsbury, Richard V., Newark.
 Lintott, Thomas J., Newark.

Lyon, Adrian, Perth Amboy.
 McCarter, Robert H., Newark.
 McDermott, Frank P., Jersey City.
 McMaster, John S., Jersey City.
 Mable, Clarence, Hackensack.
 MacMahon, Cecil H., Newark.
 MacSherry, Howard, Newark.
 Martin, J. H. Thayer, Newark.
 Miller, Louis H., Millville.
 Mills, Alfred Elmer, Morristown.
 Milton, John, Jersey City.
 Moore, Chas. Sumner, Atlantic City.
 Oliver, Paul Q., Westfield.
 Osborne, Harry V., Newark.
 Parker, Charles W., Jersey City.
 Parker, Chauncey G., Newark.
 Parker, Cortlandt, Jr., Newark.
 Parker, Richard Wayne, Newark.
 Peirce, George H., Newark.
 Pennington, William, Newark.
 Perkins, Randolph, Jersey City.
 Pitney, John O. H., Newark.
 Randall, Edmund B., Paterson.
 Rathbun, Charles A., Morristown.
 Read, William T., Camden.
 Reelstab, John, Trenton.
 Richards, Samuel H., Bridgeport.
 Riker, Adrian, Newark.
 Robbins, Samuel K., Camden.
 Roe, Charles J., Jersey City.
 Rosenberg, Maximilian T., Jersey City.
 Runyon, Isaac P., Plainfield.
 Sackett, Clarence, Newark.
 Salmon, Joshua R., Morristown.
 Schimpf, Theo. W., Atlantic City.
 Sherman, Gordon E., Morristown.
 Shipman, George M., Belvidere.
 Simonson, Theodore, Newton.
 Skinner, Alfred F., Newark.
 Slocum, John W., Long Branch.
 Smathers, Frank, Atlantic City.
 Sommer, Frank H., Newark.
 Speer, Wm. H., Jersey City.
 Starr, Lewis, Camden.
 †Stern, Louis E., Atlantic City.
 Stevenson, Eugene, Paterson.
 Strong, Theodore, New Brunswick.
 Sullivan, Mark A., Jersey City.
 Summerill, Joseph J., Woodbury.
 Swayze, Francis J., Newark.
 Tennant, George G., Jersey City.
 Thomas, Joseph L., Camden.
 †Thompson, Lloyd, Westfield.
 Trapp, Alexander, Trenton.
 Treacy, John J., Jersey City.
 Trenchard, Thomas W., Trenton.
 Tuller, Royal P., Vineland.

† Elected by Executive Committee between Meetings.

NEW JERSEY—NEW MEXICO—NEW YORK.

Van Buskirk, DeWitt, Bayonne.
 Van Cleef, James H., New Brunswick.
 Vanderpool, Wynant D., Newark.
 Van Syckel, Bennet, Trenton.
 Walker, Edwin Robert, Trenton.
 Wall, Albert O., Jersey City.
 Westcott, John W., Camden.
 Whiting, Borden D., Newark.
 Whittemore, Clark McK., Elizabeth.
 Wilson, C. Franklin, Morristown.
 Wilson, Edmund, Red Bank.
 Wilson, William R., Elizabeth.
 Wilson, Woodrow (Washington, D. C.),
 Princeton.
 Wolcott, Wilfred B., Camden.
 Wright, Wendell J., Hackensack.
 Young, Henry, Jr., Newark.
 Young, Stuart A., Newark.

NEW MEXICO.

Adams, B. F., Albuquerque.
 Bujac, Etienne De Pelissier, Carlsbad.
 Catron, Thomas B., Santa Fé.
 Clancy, Frank W., Santa Fé.
 Clark, Herbert W., East Las Vegas.
 Davis, Stephen B., Jr., East Las Vegas.
 Field, Neill B., Albuquerque.
 Hanna, Richard H., Santa Fé.
 Haydon, Wm. G., East Las Vegas.
 Hervey, James M., Roswell.
 Hickey, M. E., Albuquerque.
 †Kelley, W. E., Socorro.
 Klock, Geo. Sheldon, Albuquerque.
 Leahy, David J., East Las Vegas.
 Lindsey, Washington E., Portales.
 Lucas, Wm. J., East Las Vegas.
 McMillen, Alonzo B., Albuquerque.
 Mann, Edward A., Albuquerque.
 Marvon, O. N., Albuquerque.
 Mechem, Merritt C., Socorro.
 Mills, William J., East Las Vegas.
 Parker, Frank W., Santa Fé.
 Pope, William H., Santa Fé.
 Reynolds, Herbert F., Albuquerque.
 Reid, William C., Albuquerque.
 Renehan, A. B., Santa Fé.
 Roberts, Clarence J., Santa Fé.
 Seaberg, Hugo, Raton.
 Sedillo, Antonio A., Albuquerque.
 Simms, John F., Albuquerque.
 Twitchell, Ralph E., East Las Vegas.
 Wilson, Francis C., Santa Fé.
 Wright, Edward R., Santa Fé.

NEW YORK.

Aaron, Herman, New York.
 Abbot, Everett V., New York.
 Abbott, Henry H., New York.
 Acker, Edward A., New York.
 †Ackerson, Fred M., Niagara Falls.
 Adams, Andrew Addison, New York.
 Adams, George A., Salamanca.
 Adams, Harold J., Buffalo.
 Adel, Frank F., Evergreen.
 Adler, Isaac, Rochester.
 Agar, John G., New York.
 Ainsworth, Danforth E., Albany.
 Aldcroft, Richard B., Jr., New York.
 Alexander, Bernard, New York.
 Alexander, Edward A., New York.
 Allen, Frederick L., New York.
 Allen, William, New York.
 Allen, William Loyal, Malone.
 Allen, Yorke, New York.
 Anable, Courtland V., New York.
 Anderton, Stephen P., New York.
 Andrade, Cipriano, Jr., New York.
 Andrews, Champe S., New York.
 Andrews, James D., New York.
 Andrews, William S., Syracuse.
 Aplington, Henry, New York.
 Appell, Albert J., New York.
 Armstrong, David W., New York.
 Armstrong, James P., East Randolph.
 Arnold, Joseph A., New York.
 Arnold, Lynn J., Albany.
 Arnstein, Emanuel, New York.
 Arroyo, Julian A., New York.
 Ashley, Clarence D., New York.
 Auerbach, Joseph S., New York.
 Avery, Brainard, New York.
 Ayres, Charles H., New York.
 Babbage, Richard Gordon, New York.
 Babbitt, Kurnel R., New York.
 Babcock, Augustus, Binghamton.
 Babel, Earl D., New York.
 Bacon, Selden, New York.
 Bacot, John Vacher, Utica.
 Baggott, Vallandigham B., New York.
 Baker, Joseph J., New York.
 Baker, Merritt N., Buffalo.
 Baldwin, Roger S., New York.
 Baldwin, Stephen C., Brooklyn.
 Ball, LeRoy D., New York.
 Bamberger, Ira Leo, New York.
 Bamerick, William H., Syracuse.
 Bangs, Francis S., New York.
 Banton, Joab H., New York.
 Barber, Arthur William, New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

Barker, Wendell P., New York.
 Barnes, Ezra A., Oswego.
 Barnes, Henry B., New York.
 Barnes, Milan Day, New York.
 Baron, Saul J., New York.
 Barrett, Henry R., White Plains.
 Barry, Herbert, New York.
 Bartlett, John P., New York.
 Bartlett, Willard, Brooklyn.
 Baskerville, Thomas H., New York.
 Bates, Kahl C., New York.
 Battle, George Gordon, New York.
 Bauer, Oswald A., Sparkill.
 Bayes, William R., New York.
 Baylis, Willard N., New York.
 Beale, Phelan, New York.
 Beals, Elton H., Buffalo.
 Beardale, Samuel A., New York.
 Beattie, Charles Maitland, New York.
 Beatty, Frederick L., New York.
 Beatty, Amos L., New York.
 Beck, James M., New York.
 Beekman, Charles K., New York.
 Begg, Alexander L. W., New York.
 Begg, William Reynolds, New York.
 Bell, Charles, Herkimer.
 Bell, Clark, New York.
 Bell, James D., Brooklyn.
 Bender, Melvin T., Albany.
 Benedict, Abraham, New York.
 Benedict, Edward G., New York.
 Benedict, Russell, New York.
 Bennet, William S., New York.
 Bennett, David C., Jr., New York.
 Bennett, Frank A., Mt. Vernon.
 Benson, Charles B., Hudson.
 Benton, Geo. A., Rochester.
 Bergen, Tunis G., New York.
 Berger, Samuel A., New York.
 Bergman, Robert H., New York.
 Bernstein, J. Sidney, New York.
 Betts, Samuel R., New York.
 Bickford, Herbert J., New York.
 Bien, Franklin, New York.
 Bijur, Nathan, New York.
 Bishop, James L., New York.
 Bissell, Frederick O., Buffalo.
 Bissell, Herbert P., Buffalo.
 Bissing, William F., New York.
 Black, Loring M., Jr., New York.
 Blackmar, Abel E., Brooklyn.
 Blackwell, Geo. Engs, New York.
 Blair, Charles F., Buffalo.
 Blair, Joseph Paxton, New York.
 Blanchard, James A., New York.
 Blandy, Charles, New York.

Blauvelt, George A., New York.
 Bliss, William H., New York.
 Bloch, Adolph, New York.
 Bloch, Henry, New York.
 Blumenthal, Maurice B., New York.
 Blymyer, William H., New York.
 Bogardus, John H., New York.
 Bogert, George G., Ithaca.
 Bogert, Henry L., New York.
 Bogue, Morton Griswold, New York.
 Bolling, Raynal C., New York.
 Bomeisler, Louis Edwin, New York.
 Bond, Walter Huntington, New York.
 Bondy, William, New York.
 Bonyng, Robert W., New York.
 Bonyng, Wm. H., New York.
 Boothby, John William, New York.
 Borchert, Hermann, New York.
 Borst, Henry V., Amsterdam.
 Boston, Charles A., New York.
 Boston, John Guyton, New York.
 Bouvier, John Vernon, Jr., New York.
 Bowman, Henry H., New York.
 Boyle, John Wellington, Utica.
 Brackett, Edgar T., Saratoga Springs.
 Bradbury, Harry B., New York.
 Brainard, John Morgan, Auburn.
 Brainerd, Ira H., New York.
 Breed, William O., New York.
 Brennan, John F., Yonkers.
 Brennan, Russell H., Utica.
 Brewster, Joseph, New York.
 Brice, Willson B., New York.
 Britt, Philip J., New York.
 Britt, T. Louis A., New York.
 Broadwin, Isidor Lawrence, New York.
 Brodek, Charles A., New York.
 Brophy, Charles B., New York.
 Brown, Charles Paul, New York.
 Brown, Charles T., New York.
 Brown, Daniel, Far Rockaway.
 Brown, Fraser, Yonkers.
 Brown, Selden S., Rochester.
 Browne, G. Morgan, New York.
 Brownell, George F., New York.
 †Brownell, Henry B., New York.
 Bruno, Richard M., New York.
 Buchanan, Charles J., Albany.
 Buck, Arthur A., Schenectady.
 Buck, Gordon M., New York.
 Buckbee, Monmouth S., White Plains.
 Bull, J. Edgar, New York.
 Bullowa, Ferdinand E. M., New York.
 Burdick, Francis M., New York.
 †Burghard, Edward M., New York.
 Burkan, Nathan, New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

Burke, Thomas C., Buffalo.
 Burlingham, Charles C., New York.
 Burns, Robert, New York.
 Burr, William P., New York.
 Burroughs, Paul G., New York.
 Bush, Myron P., Buffalo.
 †Bushnell, Nathan P., Peekskill.
 Butler, Charles Henry (Washington, D. C.), New York.
 Butler, William Allen, New York.
 Butler, William E., New York.
 Button, William H., New York.
 Byard, James J., Cooperstown.
 Byrd, William, New York.
 Byrne, Edward J., Brooklyn.
 Byrne, James, New York.
 Cady, Daniel L., New York.
 Cahn, William L., New York.
 Cahoon, Richards Mott, Brooklyn.
 Caldwell, Jas. Hope, New York.
 Cameron, Frederick W., Albany.
 Cameron, Winfield S., Jamestown.
 Campbell, Donald, New York.
 Campbell, Frederick B., New York.
 Campbell, John A. L., New York.
 Canfield, George F., New York.
 Cantline, Peter, Newburgh.
 Cardozo, Benjamin N., New York.
 Cardozo, Ernest A., New York.
 Carey, Martin, New York.
 Carlin, Walter J., New York.
 Carlisle, John N., Albany.
 Carlson, Frank, New York.
 Carpenter, George H., Liberty.
 Carpenter, James Emerson, New York.
 Carr, William J., Brooklyn.
 Carroll, Fred. Linus, Johnstown.
 Carroll, Philip A., New York.
 Carruth, Charles R., New York.
 Carter, Jarvis P., New York.
 Cary, Guy, New York.
 Castle, Kendall B., Rochester.
 Cawcroft, Ernest, Jamestown.
 Chadbourne, William M., New York.
 Chamberlain, Joseph P., New York.
 Chanler, Lewis Stuyvesant, New York.
 Charles, Elmer E., Warsaw.
 Chase, Emory A., Catskill.
 Chase, George, New York.
 Chatfield, Thomas I., Brooklyn.
 Cheney, George Nelson, Syracuse.
 Cheney, Jerome L., Syracuse.
 Cheney, Warren J., Corning.
 Childs, Edwards H., New York.
 Chirurg, Isidore S., New York.
 Chittick, Henry R., New York.

Choate, Joseph H., New York.
 Chormann, Frederick, Niagara Falls.
 Chrystie, Elmer, New York.
 Chrystie, T. Ludlow, New York.
 Church, Frederick F., Rochester.
 Clare, Wm. F., New York.
 Clark, Grenville, New York.
 Clark, Henry Wallace, New York.
 Clark, Jefferson, New York.
 Clark, Martin, Buffalo.
 Clarke, R. Floyd, New York.
 Clarke, Samuel B., New York.
 Classen, Philip L., Albany.
 Clay, George S., New York.
 Clearwater, Alphonso T., Kingston.
 Clinch, Edward S., New York.
 Coats, H. P., Saranac Lake.
 Coatsworth, Edward E., Buffalo.
 Cobb, A. Ward, New York.
 Cobb, W. Bruce, New York.
 Cockran, W. Bourke, New York.
 Coe, Walter E., New York.
 Coffin, Herbert Lawton, New York.
 †Cohalan, John P., New York.
 Cohen, Harvey J., New York.
 Cohen, Julius Henry, New York.
 Cohen, Wm. N., New York.
 Cohn, Eugene, New York.
 Cohn, Julius Hilbern, New York.
 Colby, Bainbridge, New York.
 Cole, Charles D. M., New York.
 Cole, Vernon, Buffalo.
 Coleman, George S., New York.
 Coleman, John Burlinson, New York.
 Coleman, William M., New York.
 Collier, Frederick J., Hudson.
 Collin, Frederick, Elmira.
 Collins, Lawrence J., Buffalo.
 Conboy, Martin, New York.
 Conway, Thomas F., New York.
 Cook, Alfred A., New York.
 Cooke, Hedley V., New York.
 Cooke, Walter P., Buffalo.
 Coon, Claude L., New York.
 Cooper, Drury W., New York.
 Corbin, J. Arthur, New York.
 Cornell, Edward, New York.
 Corwin, John B., Newburgh.
 Corey, Fred D., Buffalo.
 Cosgrove, Delos M., Watertown.
 Cossum, Charles F., Poughkeepsie.
 Costigan, Thomas, New York.
 Cotter, Thomas B., Plattsburgh.
 Cotton, Joseph P., New York.
 Coudert, Frederic R., New York.
 Coughlin, James T., New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

Courtney, Thomas E., Cortland.	Deiches, Maurice, New York.
Covington, Geo. Bishop, New York.	DeKay, Sidney G., New York.
Cox, Robert Lynn, New York.	DeLacy, George C., New York.
Cox, Stephen J., New York.	DeLafield, Frederick P., New York.
Coxe, Alfred C., New York.	DeLafield, Lewis L., New York.
Coxe, Macgrane, New York.	Delehanty, Francis B., New York.
Coyne, Bartholomew Bernard, New York.	Delehanty, John A., Albany.
Crane, Alexander B., New York.	DeLeon, Edwin W., New York.
Crane, Frederick E., Brooklyn.	Denison, Howard P., Syracuse.
Cravath, Paul D., New York.	Denman, Frederick H., New York.
Crawford, Frank L., New York.	Depew, Chauncey M., New York.
Crawford, John J., New York.	De Santis, Anthony S., Utica.
Cropey, James O., Brooklyn.	Dewey, William P., New York.
Crosby, Harley N., Falconer.	Dexter, Stanley W., New York.
Crosley, Ferdinand S., New York.	Dickinson, Henry A., Cortland.
Crowley, Edward Chase, New York.	Dickinson, Howard Carter, New York.
Crutskank, Alfred B., New York.	Dickson, Dawson D., Angelica.
Cruse, George E., New York.	Diefendorf, Floyd K., New York.
Cuddeback, Wm. H., Buffalo.	Dietz, Nicholas, Brooklyn.
Cukor, Morris, New York.	Dirnberger, M. F., Jr., Buffalo.
Cullen, Edgar M., Brooklyn.	Dittenhoefer, A. J., New York.
Culver, Frederic, New York.	Dittenhoefer, Irving M., New York.
Cumming, E. D., Deposit.	Diven, Alexander S., Elmira.
Curtis, Frank C., Troy.	Dobson, Harvey O., Brooklyn.
Curtis, W. J., New York.	Dodge, Arthur Pillsbury, Freeport.
Curtis, William Edmond, New York.	Dolan, James C., Gouverneur.
Cushing, Harry Alonso, New York.	Donnelly, Henry D., New York.
Cushing, John J., New York.	Donnelly, James F., New York.
Cushman, Meyer B., New York.	Donovan, Richard J., New York.
Cuvillier, Louis A., New York.	Dooley, Edward J., Brooklyn.
Daly, Edward Hamilton, New York.	Dorman, William R., New York.
Daly, Joseph F., New York.	Dos Passos, John R., New York.
Danaher, Franklin M., Albany.	Dougherty, J. Hampden, New York.
Darrow, Frederick E. W., Saugerties.	Douglas, Archibald, New York.
Davies, John R., New York.	Douglas, Edward W., Troy.
Davies, Julien T., New York.	Dowd, Thomas H., Salamanca.
Davis, Abraham M., New York.	Dowling, George J. S., Brooklyn.
Davis, Albert G., Schenectady.	Dowling, Victor J., New York.
Davis, David T., New York.	Downs, Fred L., Medina.
Davis, Theron, New York.	Doyle, Louis F., New York.
Davis, Vernon M., New York.	Duell, Charles H., New York.
Davis, Walter W., New York (Leadville, Col.).	Duffey, Edwin, Cortland.
Davis, Wm. Ralph, New York.	Duffy, James P. B., Rochester.
Davison, Alfred T., Brooklyn.	Dugan, Patrick C., Albany.
Davison, Charles Stewart, New York.	†Dugro, Francis A., New York.
Davison, Clarence S., Tarrytown.	Dunn, Clifford E., New York.
Dawes, Hamilton Miller, New York.	Dunn, Philip J., New York.
Dawson, Miles M., New York.	Durham, Knowlton, New York.
Day, Sherman, New York.	Dutton, John A., New York.
Day, William A., New York.	Dwyer, John J., New York.
Dean, George C., New York.	Dykman, William N., Brooklyn.
DeAngella, Pascal C. J., Utica.	Earle, Henry M., New York.
Debevoise, Thomas M., New York.	Earp, Wilber F., New York.
DeForest, Robert W., New York.	Easton, Charles Philip, New York.
deFriesse, Lafayette H., New York.	Eddy, Charles B., New York.
	Eddy, George Simpson, New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

Eder, Phanor J., New York.
 Edmonds, Samuel O., New York.
 Edmonds, Walter D., New York.
 Edson, Walter H., Falconer.
 Edwards, Clarence, Elmhurst.
 Edwards, O. Ellery, Jr., New York.
 Ehrhorn, Oscar W., New York.
 Ehrich, Manfred Wm., New York.
 Elkus, Abram L., New York.
 Ellis, George W., New York.
 Ellis, John W., Ellicottville.
 Ellison, William Bruce, New York.
 Elsberg, Nathaniel A., New York.
 Emerson, Edgar C., Watertown.
 Emerson, George H., New York.
 Endelman, Edward, New York.
 Engel, Joseph G., New York.
 Ennever, Thomas C., New York.
 Erlanger, Mitchell L., New York.
 Erving, Wm. Van Rensselaer, Albany.
 Erwin, Frank Alexander, New York.
 Estabrook, Henry D., New York.
 Ewing, Hampton D., New York.
 Ewing, John G., New York.
 Faber, Leander B., Jamaica.
 Falck, Alexander D., Elmira.
 Fallows, Edward H., New York.
 Farnsworth, Phillip, New York.
 Farren, James J., New York.
 Fearons, George H., New York.
 Fechtig, James A., Jr., New York.
 Feiner, Benjamin F., New York.
 †Fennell, Thomas F., Elmira.
 Ferme, Antonio, New York.
 Ferris, Madison J. H., New York.
 Ferris, T. Harvey, Utica.
 Ferriss, Stark B., New York.
 Field, Frank Harvey, New York.
 Fiero, J. Newton, Albany.
 Filley, Frederick Child, Troy.
 Finch, Edward R., New York.
 Findlay, Wm. C., New York.
 Findley, William L., New York.
 Fish, Norman D., North Tonawanda.
 Fitch, Theodore, Yonkers.
 Fitzgerald, James Regan, New York.
 Fitzpatrick, Thomas J., Chateaugay.
 Fleischmann, Simon, Buffalo.
 Fleming, Matthew C., New York.
 Flemming, H. H., Kingston.
 Fletcher, Bertram L., New York.
 Fletcher, Henry, New York.
 Fleury, John H., Brooklyn.
 Floan, John P., New York.
 Foley, James A., New York.
 Foltz, Charles J., New York.

Ford, John, New York.
 Ford, Wayland F., LaFargeville.
 Fordham, Herbert L., New York.
 Forster, Henry A., New York.
 Foster, Charles L., New York.
 Foster, Roger, New York.
 Fowler, Carl H., New York.
 Fowler, Everett, Kingston.
 Fox, Austen G., New York.
 Frank, Adam, New York.
 Frank, David A., New York.
 Frank, Julius J., New York.
 Frankenberg, Henry E., New York.
 Frankenstein, Samuel I., New York.
 Franklin, Ruford, New York.
 Fraser, George C., New York.
 Frazier, Robert, Mechanicsville.
 Freedman, John J., New York.
 Freschi, John J., New York.
 Frisbee, Ernest L., Buffalo.
 Frost, Henry R., New York.
 Frothingham, Theodore L., New York.
 Fuller, Charles H., New York.
 Fuller, Raymond D., New York.
 Fuller, Thomas Staples, New York.
 Furber, Arthur, New York.
 Gaillard, Wm. D., New York.
 Gallert, David J., New York.
 Galston, Clarence G., New York.
 Gannon, Frank S., Jr., New York.
 Gans, Howard S., New York.
 Gardiner, George H., New York.
 Gardner, John M., New York.
 Garretson, Garret J., Elmhurst.
 Garver, John A., New York.
 Garvin, Edwin Louis, New York.
 Gary, Elbert H., New York.
 Gates, Merrill E., Jr., New York.
 Gattell, Benoni B., New York.
 Gavegan, Edward J., New York.
 Gavin, Michael, 2d, New York.
 Gazzam, Joseph M., New York.
 Geist, A. Joseph, New York.
 Geller, Frederick, New York.
 Gennert, Henry G., New York.
 Gerard, James W. (Berlin, Germany),
 New York.
 Gerry, Elbridge T., New York.
 Gibbs, Clinton B., Buffalo.
 Gibson, William J., New York.
 Gick, Frank, Saratoga Springs.
 Gifford, James M., New York.
 Gifford, Livingston, New York.
 Gilchrist, Alexander, Jr., New York.
 Gill, Charles C., New York.
 Gillen, William W., Jamaica.

† Elected by Executive Committee between Meetings.

NEW YORK.

Gillespie, George J., New York.
 Gilpin, C. Monteth, New York.
 Gilroy, Thomas F., Jr., New York.
 Gleason, A. H., New York.
 Gleason, John H., Albany.
 Glenn, Garrard, New York.
 Glynn, Martin L., Albany.
 Goepel, O. P., New York.
 Goff, John W., New York.
 Goldberg, Samuel J., New York.
 Goldman, Julius, New York.
 Goldman, Samuel P., New York.
 Goldstein, Jonah J., New York.
 Gonzalez, Antonio C., New York.
 Goodelle, William P., Syracuse.
 Goodhue, Isaac W., New York.
 Goodlett, Nicholas M., New York.
 Gordon, Gordon, New York.
 Gordon, Wm. Seton, New York.
 Gotthold, Arthur F., New York.
 Grace, Wm. J. (Aden, Arabia), Long Island City.
 Graham, Arthur Butler, New York.
 Gram, Jesse P., New York.
 Grantier, Jesse L., Wellsville.
 Gray, Henry G., New York.
 Greeley, William B., New York.
 Green, Herbert, New York.
 Greenbaum, Samuel, New York.
 Greene, George E., Hoosick Falls.
 Greene, James Luther, Binghamton.
 Greenhall, Charles Lawrence, New York.
 Greenough, William, New York.
 Gregg, William W., Elmira.
 Gregory, Henry E., New York.
 Gridley, John T., Candor.
 Griffin, Charles Lamson, New York.
 Griffin, Wm. H., New York.
 Griffing, Timothy M., Riverhead.
 Griffith, John Cuyler, Attica.
 Gross, Paul, New York.
 Grossman, Moses H., New York.
 Grossman, William, New York.
 Gruber, Abraham, New York.
 Guernsey, Nathaniel T., New York.
 Guggenheimer, Charles S., New York.
 Gulick, Archibald A., New York.
 Gurlitz, Augustus, New York.
 Guthrie, William D., New York.
 Guy, Charles L., New York.
 Haas, George, New York.
 Hacker, Nicholas W., New York.
 Hagar, Albert Francis, New York.
 Hahlo, Louis H., New York.
 Haldane, Charles, New York.
 Hale, Ledyard P. (Albany), Canton.

Hale, William B., Rochester.
 Hall, Ernest, New York.
 Halsted, Jacob, New York.
 Hamilton, Francis E., New York.
 †Hamilton, Henry DeWitt, New York.
 Hanavan, George B., Long Island City.
 Hand, Augustus N., New York.
 Hand, Learned, New York.
 Hanford, Solomon, New York.
 Hansmann, Carl A., New York.
 Harby, Marx Edwin, New York.
 Hardon, Henry W., New York.
 Hardy, Charles J., New York.
 Hare, Montgomery, New York.
 Harmon, Benjamin S., New York.
 Harrington, Howard Sawyer, New York.
 Harris, Albert H., New York.
 Harris, Edward, Rochester.
 Harris George H., Rochester.
 Harris, Maxwell S., New York.
 Harris, Sidney, New York.
 Harrison, Robert L., New York.
 Hart, Charles Henry, New York.
 Hartfield, Joseph M., New York.
 Hasbrouck, Frank, Poughkeepsie.
 Hasbrouck, Gilbert D. B., Kingston.
 Haskell, Reuben L., New York.
 Haakin, Lincoln B., Hempstead.
 Hastings, Allen J., Olean.
 Hatch, Edward W., New York.
 Haughwort, James Ard, New York.
 Haviland, C. Augustus, Brooklyn.
 Haviland, Henry M., New York.
 Hawes, Gilbert Ray, New York.
 Hawkins, Eugene D., New York.
 Hay, Eugene G., New York.
 Hayes, Alfred, Ithaca.
 Hays, Arthur Garfield, New York.
 Hays, Daniel P., New York.
 Hays, Frank M., Binghamton.
 Hazel, John R., Buffalo.
 Hazelton, Dallas M., Gouverneur.
 Hedgcs, Robert E., Plattsburgh.
 Hedges, Job E., New York.
 Heiser, Henry A., New York.
 Hemmens, Henry J., New York.
 Hensley, Charles G., New York.
 Herrick, B. Cady, Albany.
 Herriman, Alric R., Ogdensburg.
 Herzog, Paul M., New York.
 Hessberg, Albert, Albany.
 Hettrick, John T., New York.
 Hewitt, Thomas D., New York.
 Heyn, Bernard G., New York.
 Heyn, Herbert A., New York.
 Hickman, Arthur W., Buffalo.

† Elected by Executive Committee between Meetings.

NEW YORK.

- Hickox, Charles R., New York.
 Hill, George, New York.
 Hill, Henry W., Buffalo.
 Hines, Walker D., New York.
 Hinman, Harvey D., Binghamton.
 Hinrichs, Alfred E., New York.
 Hinrichs, Fred W., New York.
 Hirsch, Hugo, Brooklyn.
 Hirschberg, Henry, Newburgh.
 Hirschberg, M. H., Newburgh.
 Hiseock, Frank H., Syracuse.
 Hitchings, Hector M., New York.
 Hobbs, Elon S., New York.
 Hodge, J. Aspinwall, New York.
 Hodges, Frank B., Syracuse.
 Hodgskin, T. Ellett, New York.
 Hoes, Ernest P., New York.
 †Hogeboom, Henry, New York.
 Hogue, Arthur S., Plattsburgh.
 Holbrook, Alfred H., New York.
 Holcomb, Alfred E., New York.
 Holmes, George, New York.
 Holmes, Northrup R., Troy.
 Holt, George C., New York.
 Homer, Francis T., New York.
 Homes, Henry F., New York.
 Hooker, Warren B., Fredonia.
 Hope, Walter E., New York.
 Horan, Michael J., New York.
 Hornblower, George S., New York.
 Hotchkiss, William Horace, New York.
 Hough, Charles M., New York.
 Howard, Archibald, Binghamton.
 Howland, Clarence, Catskill.
 Howson, Hubert, New York.
 Hubbard, Harry, New York.
 Hudson, James A., New York.
 Hughes, Charles E. (Washington, D. C.), New York.
 Hulbert, G. Murray, New York.
 Humes, Augustine L., New York.
 Humphrey, Burt Jay, Jamaica.
 Hunt, Loton S., Utica.
 Hunter, Frederick C., New York.
 Hunter, Henry C., New York.
 Huse, Robert Selden, New York.
 Hutchins, Francis S., New York.
 †Hylan, John F., Brooklyn.
 †Imperatori, Reginald J., New York.
 Ingalls, Melville E., New York.
 Ingalsbe, Grenville M., Hudson Falls.
 Ingraham, George L., New York.
 Ingram, Harry M., Potsdam.
 Ingram, John Wharton, New York.
 Irvine, Frank, Ithaca.
 Isaacs, Lewis M., New York.
 Jackson, Edgar, Freeport.
 Jackson, John G., New York.
 Jacobson, I. N., New York.
 Jay, DeLancey K., Albany.
 Jaycox, Walter H., Patchogue.
 Jeffery, Oscar W., New York.
 †Jenks, Almet F., Brooklyn.
 Jenney, William S., New York.
 Jennings, Albert T., Fulton.
 Jennings, Frederic B., New York.
 Jessup, Henry Wynans, New York.
 Joffe, Marcus E., New York.
 Johnson, Albin Nicholas, Freeport.
 Johnson, Arthur T., Gouverneur.
 Johnson, Edwin J., New York.
 Jones, W. Martin, Jr., Rochester.
 Josephthal, Sidney L., New York.
 Joslyn, Charles D., New York.
 Jude, George W., Jamestown.
 Kahn, Louis L., New York.
 Kalish, Edwin L., New York.
 Kane, Arthur M. A., Mamaroneck.
 Kane, Michael N., Warwick.
 Kapper, Isaac M., Brooklyn.
 Karlin, Alexander, New York.
 Keenan, Thomas J., Binghamton.
 †Keleher, William T., New York.
 Keller, Ferdinand W., New York.
 Kellogg, Abraham L., Oneonta.
 Kellogg, Frederic R., New York.
 Kellogg, Joseph A., New York.
 Kellogg, L. Linn, New York.
 Kellogg, Virgil K., Watertown.
 Kelly, Edward J., New York.
 Kelly, James A., New York.
 Kelly, Wm. J., Brooklyn.
 Kempton, Edwin, Jr., Brooklyn.
 Kendall, Messmore, New York.
 Kenna, Edward D. (Chicago, Ill.), New York.
 Kenneson, Thaddeus Davis, New York.
 Kent, Ralph S., Buffalo.
 Kenyon, Alan D., New York.
 Kenyon, Robert Nelson, New York.
 Kenyon, William H., New York.
 Keogh, Martin J., New Rochelle.
 Keogh, Thomas F., New York.
 Kernan, John D., Utica.
 Kerr, Thomas B., New York.
 Ketcham, Herbert T., Brooklyn.
 Kidder, Camillus G., New York.
 Kiddle, Alfred W., New York.
 Kiley, Michael H., Cazenovia.
 Kilheimer, James B., New York.
 Kilheimer, James B., Jr., New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

- Kimball, Daniel T., New York.
 †Kimball, Harry Grant, New York.
 King, Arthur Marcua, New York.
 King, David Bennett, New York.
 King, Frederick P., New York.
 Kirchway, George W., New York.
 Kirlin, J. Parker, New York.
 Kirtland, Michel, New York.
 Kitchel, William Lloyd, New York.
 Kleeberg, Gordon S. P., New York.
 Klein, Henry, Kingston.
 Kling, Joseph, New York.
 Knapp, Clyde W., Lyons.
 Knapp, Walter Henry, Canandaigua.
 Knauth, Antonio, New York.
 Knoepfel, Harold C., New York.
 Knox, John Mason, New York.
 Kohl, Henry, Newburgh.
 Kohn, Walter Thomas, New York.
 Kram, Jacob M., New York.
 Krauthoff, Lewis C., New York.
 Kreger, Edward A., West Point.
 Kruse, Frederick W., Olean.
 Kuhn, John J., New York.
 Kunen, Louis, New York.
 Kurbstedt, Manuel A., New York.
 Kuster, Louis E., New York.
 Lackey, Edward W., Tannersville.
 Lacombe, E. Henry, New York.
 Lamey, William J., New York.
 L'Amoreaux, J. S., New York.
 Lancaster, William W., New York.
 Landale, Russell H., New York.
 Lane, Wolcott, G., New York.
 Lange, Gustave, Jr., New York.
 Laski, Leon, New York.
 Lauer, Edgar J., New York.
 Laughlin, Frank C., Buffalo.
 Lauterbach, Edward, New York.
 Lawson, Joseph A., Albany.
 Leavitt, John Brooks, New York.
 LeBoeuf, Randall Jas., Albany.
 Lee, David F., Norwich.
 Leeds, Theo. Edward, New York.
 Lettingwell, Russell C., New York.
 Lehman, James S., New York.
 Lehman, Irving, New York.
 †Lehman, Isidore H., New York.
 Lennsen, Nicholas F., New York.
 Leo, Leopold, New York.
 Leslie, A. Mitchell, New York.
 Lesser, Jacob J., New York.
 Levett, Benjamin A., New York.
 Levi, Joseph C., New York.
 Lewis, Howard C. (London, England),
 Schenectady.
 Levy, Abraham, New York.
 Levy, Felix H., New York.
 Levy, Joseph L., New York.
 Levy, Leo, New York.
 Levy, Samuel, New York.
 †Lewis, Loran L., Jr., Buffalo.
 Lewis, Merton E., Rochester.
 Lewkowitz, Louis S., New York.
 Lhowe, Harold Rogers, New York.
 Lichtenstein, Solomon K., New York.
 Liebmman, Walter H., New York.
 Lindheim, Norvin R., New York.
 Lindsay, John D., New York.
 Lockwood, Charles C., New York.
 Loewy, Benno, New York.
 Long, Walter Pratt, New York.
 Loucks, Burton H., Lowville.
 Loucks, Wm. Dewey, Schenectady.
 Lovett, Robert S., New York.
 Low, Walter Carroll, New York.
 Lowther, William Earle, New York.
 Luckey, David Burr, New York.
 Lustgarten, William, New York.
 Lydecker, Chas. E., New York.
 Lynn, John D., Rochester.
 Lyons, John D., Monticello.
 McAdoo, William, New York.
 McAvoy, John, New York.
 McCabe, Ambrose F., New York.
 McCall, Edward Everett, New York.
 McCarrick, Thos. P., Rochester.
 McCarthy, Charles E., Troy.
 McCarthy, Charles T., Glen Cove.
 McCarthy, Joseph A., Troy.
 McCauley, William, Haverstraw.
 McClary, Martin E., Malone.
 McCombs, William F., New York.
 McCook, Philip James, New York.
 McCorkle, Walter L., New York.
 McCrahan, John H., Syracuse.
 McCrary, A. J., Binghamton.
 McCulloh, Allan, New York.
 McDermott, Charles J., New York.
 McElheny, Victor K., Jr., New York.
 McGovern, James P., New York.
 McGrath, Francis Sims, New York.
 McGuire, John J., Ithaca.
 McHarg, Ormsby, New York.
 McIlvaine, Tompkins, New York.
 McIntosh, James H., New York.
 McKee, Lanier, New York.
 McKelvey, Charles W., New York.
 McKelvey, John Jay, New York.
 McKelvey, Lawrence B. (New York), Sar-
 toga Springs.
 McKenna, Thomas P., New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

- McKinney, William M., Northport.
 McLaughlin, George A., New York.
 McLean, Donald (Frederick, Md.), New York.
 McLeod, Sayre, New York.
 McMahon, Fulton, New York.
 McMahon, John D., Rome.
 McManus, Terence J., New York.
 McNaboe, James F., New York.
 McNulty, William D., New York.
 McReynolds, James C., New York.
 McWilliams, Howard, New York.
 Maas, Charles O., New York.
 Maass, Herbert H., New York.
 MacHenry, Charles A., New York.
 Mack, William, New York.
 Mackenzie, Kenneth K., New York.
 MacVeagh, Charles, New York.
 Maddox, Samuel T., Brooklyn.
 Magavern, William J., Buffalo.
 Magee, Walter W., Syracuse.
 Malevinsky, Moses Louis, New York.
 Maloney, Wm. P., New York.
 Mandeville, H. C., Elmira.
 Manheim, Jacob, New York.
 Mansfield, Howard, New York.
 †March, Moncure, New York.
 Marcus, Samuel, New York.
 Marshall, H. Snowdon, New York.
 Marshall, James Markham, New York.
 Marshall, Louis, New York.
 Martin, George W., Brooklyn.
 Martin, William G., Mayville.
 Martin, William J., New York.
 Martin, William Parmenter, New York.
 Marvin, Langdon P., New York.
 Marx, Henry, New York.
 Marye, Robert V., New York.
 Masten, Arthur Haynsworth, New York.
 Mastick, Seabury C., New York.
 Matson, Willis A., Rochester.
 Matthews, Samuel D., New York.
 Maxwell, William K., New York.
 Mayer, Henry James, New York.
 Mayer, Julius M., New York.
 Meeker, Rollin W., Binghamton.
 Mehan, William A., Ballston Spa.
 Mellen, Chase, New York.
 Melville, Henry, New York.
 Merchant, Henry D., New York.
 Merrell, Edgar S. K., Lowville.
 Metcalf, Orlando P., New York.
 Meyer, Walter E., New York.
 Meyers, Sidney S., New York.
 Michell, Arthur A., New York.
 Michling, Edward, New York.
 Milbank, Albert G., New York.
 Milburn, John G., New York.
 Miller, Hugh Gordon, New York.
 Miller, Ira E., New York.
 Miller, Nathan L., Syracuse.
 Miller, Seaman, New York.
 Miller, William W., New York.
 Mingle, Harry Bowers, New York.
 Minton, Francis L., New York.
 Mitchell, Harold C., New York.
 Mitchell, Jas. McCormick, Buffalo.
 Mitchell, Joseph V., New York.
 Mitchell, Robert Chamberlain, New York.
 Moffat, R. Burnham, New York.
 Monroe, Robt. Grier, New York.
 Montague, Gilbert H., New York.
 Montgomery, Robert H., New York.
 Mooney, Edmund L., New York.
 Moore, George J., Malone.
 Moore, John Bassett, New York.
 Moore, Joseph L., Fort Plain.
 Moot, Adelbert, Buffalo.
 Morawetz, Victor, New York.
 †Morey, Joseph H., Buffalo.
 Morgan, George Wilson, New York.
 Morgan, William Osgood, New York.
 Morris, David H., New York.
 Morris, Heman W., Rochester.
 Morris, Henry Lewis, New York.
 Morris, Robert C., New York.
 Morrison, Isidore D., New York.
 Morrow, Dwight W., New York.
 Morschauer, Joseph, Poughkeepsie.
 Morse, Waldo G., New York.
 Mosher, Lewis E., Elmira.
 Moss, Frank, New York.
 Muhlfelder, David, Albany.
 Mullin, Francis B., Brooklyn.
 Murphy, Charles F., New York.
 Murphy, William E., New York.
 Murray, A. Gordon, New York.
 Murtha, Thomas F., New York.
 Myers, Nathaniel, New York.
 Myers, W. Fenton, Amsterdam.
 Nadal, Charles C., New York.
 Nagler, Maurice, New York.
 Nathan, Edgar J., New York.
 Nathan, Harold, New York.
 Naumburg, Bernard, New York.
 †Naumer, John, Brooklyn.
 Naylor, Daniel N., Jr., Schenectady.
 Nellis, Andrew J., Albany.
 Nellis, Merwyn H., Albany.
 Neuberger, David M., New York.
 Nevin, Andrew Parker, New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

- Newman, Emanuel, Brooklyn.
 Nichols, George L., New York.
 Nicoll, DeLancey, New York.
 Nicolson, John, New York.
 Niemann, James P., Mineola.
 Nims, Harry D., New York.
 Noble, Daniel, Jamaica.
 Noble, Herbert, New York.
 Nolan, John R., New York.
 Norton, Algernon S., New York.
 Norton, Porter, Buffalo.
 Norton, Ralph, New York.
 Norwood, Carlisle, New York.
 Nottingham, Edwin, Syracuse.
 Nottingham, Wm., Syracuse.
 Oakes, Charles, New York.
 O'Brien, Dennis F., New York.
 O'Brien, John Edward, New York.
 O'Brien, John Patrick, New York.
 O'Brien, Morgan J., New York.
 O'Brien, Thomas Edward, New York.
 O'Connell, John J., New York.
 O'Connor, Charles Leo, Buffalo.
 O'Connor, James Keegan, Utica.
 O'Dwyer, Edward F., New York.
 Oeland, Isaac R., New York.
 O'Gorman, James A., New York.
 O'Grady, James M. E., Rochester.
 Olcott, J. Van Vechten, New York.
 Olney, Peter B., New York.
 Ommen, Alfred E., New York.
 Opdyke, Alfred, New York.
 Opdyke, William S., New York.
 Oppenheim, Myron Henry, New York.
 Oppenheimer, Herman H., New York.
 Osborn, William Church, New York.
 O'Shea, Ambrose L., New York.
 Ostrander, William S., Saratoga Springs.
 O'Sullivan, Wm. J., New York.
 Overlander, Rufus M., New York.
 Paddock, Frederick G., Malone.
 Page, Alfred R., New York.
 Page, E. J., Syracuse.
 Page, William H., New York.
 Paine, Willis S., New York.
 Parish, Edward C., New York.
 Parker, Alton B., New York.
 Parker, Andrew D., New York.
 Parker, Junius, New York.
 Parker, Winthrop, New York.
 Parkinson, Thomas L. (Philadelphia, Pa.), New York.
 Parks, G. Elton, New York.
 Parmelee, Henry F., New York.
 Parmly, Randolph, New York.
 Paskus, Benjamin G., New York.
 Patterson, Benjamin, New York.
 Patterson, Frank Minor, New York.
 Patterson, Frederick H., New York.
 Paulding, Charles C., New York.
 Pearce, Stanley D., New York.
 Pegram, Henry, New York.
 Pendleton, Francis Key, New York.
 Persons, James W., Buffalo.
 Pette, Alfred C., New York.
 Petty, Robert D., New York.
 Philipp, Moritz Bernard, New York.
 Pierce, Charles L., Rochester.
 Pierce, Winslow S., New York.
 Pitcher, Fred B., Watertown.
 Place, Ira A., New York.
 Platt, Frank H., New York.
 Platzek, M. Warley, New York.
 Pollak, Francis D., New York.
 Pomeroy, Robert W., Buffalo.
 Porter, Louis H., New York.
 Posner, Louis S., New York.
 Potter, Frederick, New York.
 Potts, Joseph, New York.
 Powell, Omar, New York.
 Pratt, Addison S., New York.
 Pratt, Charles A. B., New York.
 Pratt, George C., New York.
 Preble, William Pitt, New York.
 Prentice, E. Parmalee, New York.
 Prentice, William P., New York.
 Prime, Ralph E., Yonkers.
 Prindle, Edwin J., New York.
 Pringle, Edward G., New York.
 Prioleau, Thomas G., New York.
 Proskauer, Joseph M., New York.
 Purdy, Lawson, New York.
 Purrington, William Archer, New York.
 Putnam, Harrington, Brooklyn.
 Putney, Edmonds, New York.
 Quackenbush, James L., New York.
 Quinn, John, New York.
 Rafferty, William F., Syracuse.
 Rand, William, Jr., New York.
 Ransom, William Lynn, New York.
 Rathgeber, Emile E., Long Island City.
 Ray, George W., Norwich.
 Read, William T., New York.
 Ream, Benjamin, Brooklyn.
 Redding, William A., New York.
 Redfield, Henry S., New York.
 Reed, Robert R., New York.
 Reeves, Alfred G., New York.
 Reeves, George W., Watertown.
 Reeves, Herbert, New York.
 Reilly, Edward James, Brooklyn.
 Reilly, Frank Paine, Rochester.

NEW YORK.

- Reilly, Owen M., Phoenix.
 Reiter, Julius H., New York.
 Relyea, William O., New York.
 †Remsen, Daniel S., New York.
 Reynolds, Elba, Belmont.
 Reynolds, James Bronson, New York.
 Reynolds, Leonard J., Brooklyn.
 Rich, Burdett A., Rochester.
 Riegelman, Charles A., New York.
 Riegelmann, Edward, New York.
 Riker, Samuel, Jr., New York.
 Rippey, Harlan W., Rochester.
 Ritchie, Albert, New York.
 Ritterbusch, Hugo H., New York.
 Robinson, Beverly R., New York.
 Robinson, John C., New York.
 Robson, James A., Canandaigua.
 Rockwood, Nash, Saratoga Springs.
 Rodenbeck, Adolph J., Rochester.
 Roe, Gilbert E., New York.
 Roe, William, Wolcott.
 Roeser, John E., New York.
 Rogers, Gustavus A., New York.
 Rogers, Hubert E., New York.
 Rogers, L. Harding, Jr., New York.
 Rogers, Noah Cornwell, New York.
 Rogers, Robert Fletcher, New York.
 Ronan, Edward D., Albany.
 Rooney, John Jerome, New York.
 Root, Elihu (Washington, D. C.), New York.
 Root, Elihu, Jr., New York.
 Rosenberg, Ely, New York.
 Rosenberg, James N., New York.
 Rosenberg, William C., New York.
 Rosendale, Simon W., Albany.
 Rosenthal, Alex. Sidney, New York.
 Ross, J. Stewart, Brooklyn.
 Rounds, Arthur C., New York.
 Rounds, Ralph S., New York.
 †Rowe, Charles T. B., New York.
 Rowe, William V., New York.
 Rowlette, Thomas M., New York.
 †Roy, Robert H., Brooklyn.
 Rubin, J. Robert, New York.
 Rubino, Henry A., New York.
 Rudd, William Platt, Albany.
 Runcie, James E., West Point.
 Rush, Thomas E., New York.
 †Rushmore, Charles E., New York.
 Russell, Charles Howland, New York.
 Russell, Charles T., New York.
 Russell, Isaac F., New York.
 Russell, Philip W., New York.
 Ryan, Charles J., Brooklyn.
 Ryan, John J., Medina.
 Ryan, Joseph T., Syracuse.
 Ryan, William, New York.
 Ryder, Clayton, Carmel.
 Sackett, Henry W., New York.
 Sage, Dean, New York.
 Sager, Arthur N., New York.
 Salomon, Mark M., New York.
 Sanborn, Frederick H., New York.
 Sandford, Edward, New York.
 Sanford, Charles M., Smithtown Branch.
 Sanford, Ferdinand V., Warwick.
 Satterlee, Herbert L., New York.
 Sawyer, Cleon J., New York.
 Sawyer, John Everett, Hudson Falls.
 Sawyer, S. Nelson, Palmyra.
 Saxe, John G., New York.
 Scanlan, Michael J., New York.
 Schaap, Michael, New York.
 Schmuck, Peter, New York.
 †Schoonover, Frank S., Rochester.
 Schramm, Arnold O., New York.
 Schreiber, Geo. G., New York.
 Schreiber, Henry, New York.
 Schurman, Geo. W., New York.
 Schurz, Carl L., New York.
 Schwartz, Louis J., New York.
 Schwarz, Adolph M., New York.
 Scofield, George S., New York.
 Scott, Francis M., New York.
 Scott, Rufus L., New York.
 Scripter, Earl Wm., Fort Covington.
 Scrugham, Wm. Warburton, Yonkers.
 Seabury, Samuel, New York.
 Seaman, Warren C., Mineola.
 Searle, Franklin E., New York.
 Sears, Charles B., Buffalo.
 Sears, Hector, Gardiner.
 Seasongood, Clifford, New York.
 Seeger, Albert H. F., Newburgh.
 Semple, Lorenzo, New York.
 Semple, Oliver C., New York.
 Sewell, Albert H., Walton.
 Sexton, Lawrence E., New York.
 Sexton, Pliny T., Palmyra.
 Seymour, Daniel, New York.
 Seymour, Origen Storrs, New York.
 Shaffer, Jacob H., New York.
 Shaw, Frank W., Patchogue.
 Shearn, Clarence J., New York.
 Sheehan, William F., New York.
 Sheffield, James Rockwell, New York.
 Sheldon, Edward W., New York.
 Sheppard, George S., Penn Yan.
 †Sheppard, John L., New York.
 Sherman, P. Tecumseh, New York.
 Sherrill, Charles Hitchcock, New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

- Shoemaker, Herbert Brodish, New York.
 Short, Myron D., Canandaigua.
 Sicher, Dudley F., New York.
 Sidway, Frank S., Buffalo.
 Siegel, Isaac, New York.
 Siegelstein, Bennett E., New York.
 Sillicocks, Henry, New York.
 Simmons, Maurice, New York.
 Simpson, John W., New York.
 Sinn, Jos. A., Brooklyn.
 Slade, John A., Saratoga Springs.
 Smith, A. Page, Albany.
 Smith, Earl A., New York.
 Smith, Frank Eugene, Plattsburgh.
 Smith, Frank Sullivan, New York.
 Smith, John Thomas, New York.
 Smith, Nelson, New York.
 Smith Richard H., New York.
 Smith, William Haslitt, Ithaca.
 Smith, William Mason, New York.
 Smyth, Herbert C., New York.
 Snedeker, Henry H., New York.
 Solomon, William, New York.
 Sonnenberg, Louis M., New York.
 Spalding, Lyman A., New York.
 Sparks, Frederick W., Brooklyn.
 Spellimy, Denis A., New York.
 Spellman, Benjamin F., New York.
 Spencer, Nelson E., Rochester.
 Speranza, Gino C., New York.
 Sperry, Howard A., New York.
 Spiegelberg, Eugene E., New York.
 Spingarn, Arthur B., New York.
 Spooner, Charles P., New York.
 Spooner, John C., New York.
 Sprague, Rufus W., Jr., New York.
 Spratt, Maurice C., Buffalo.
 Spratt, Thomas, Ogdensburg.
 Squiers, Arnon L., New York.
 Squire, Eben H. P., White Plains.
 Stagg, Charles Tracey, Ithaca.
 Stanchfield, John B., New York.
 Stapleton, Luke D., Brooklyn.
 Steele, D. W., Jr., New York.
 Steele, Sanford H., New York.
 Steinbugler, John L., New York.
 Steinhardt, Saml. C., New York.
 Steinhaus, Isaac, New York.
 Stephens, Amos Harry, New York.
 †Stern, Henry Root, New York.
 Stetson, Francis Lynde, New York.
 Stewart, James L., New York.
 Stevens, Frederick W., New York.
 Stewart, Robert, Brooklyn.
 Stier, Joseph F., New York.
 Stobbert, Arthur J., New York.
 Stoddard, John M., New York.
 Stokes, Edward T., Port Henry.
 Stols, Benjamin, Syracuse.
 Stone, Harlan F., New York.
 Stover, Martin L., New York.
 Strauss, Charles, New York.
 Stricker, Adam K., New York.
 Strouse, Louis H., New York.
 Struse, Otto F., Brooklyn.
 Stump, A. Welles, New York.
 Sturges, Ralph A., New York.
 Suffren, Charles C., Brooklyn.
 Sugarman, S. Charles, New York.
 Suggett, John W., Cortland.
 Sullivan, Florence J., New York.
 Sullivan, Jerry B. (Des Moines, Iowa).
 New York.
 Sullivan, Mark, New York.
 Sullivan, Thomas A., Buffalo.
 Sullivan, William H., Rochester.
 Sulzberger, Myron, New York.
 Sulzer, William, New York.
 Sutherland, Arthur E., Rochester.
 Sutro, Theodore, New York.
 Sweeney, Eugene, New York.
 Sweetland, Monroe M., Ithaca.
 Sykes, Henry W., New York.
 Symmers, James Keith, New York.
 Taft, Henry W., New York.
 Taggart, W. Rush, New York.
 Talbot, Harry A., New York.
 Talcott, Charles A., Utica.
 Tappan, J. B. Coles, New York.
 Taylor, Benjamin, Port Chester.
 Taylor, Charles L., New York.
 Taylor, Francis B., Hempstead.
 Taylor, Franklin, New York.
 Taylor, George H., New York.
 Taylor, Howard, New York.
 Taylor, John C. B., Middletown.
 Taylor, John Robert, New York.
 Taylor, Myron C., New York.
 Taylor, Walter F., New York.
 Teller, John D., Auburn.
 Templeton, Richard H., Buffalo.
 Terry, Charles Thaddeus, New York.
 Thacher, Archibald G., New York.
 Thacher, Thomas, New York.
 Thomas, Samuel Bell, New York.
 Thompson, A. C. N., Middletown.
 Thompson, David A., Albany.
 Thompson, J. Campbell, New York.
 Thompson, Robert F., Canandaigua.
 Thorn, Charles E., New York.
 Thorne, Samuel, Jr., New York.

† Elected by Executive Committee between Meetings.

NEW YORK.

- Thornton, William L., Monticello.
 Thurston, Charles S., Saranac Lake.
 Tice, David, Lockport.
 Tiernan, J. Harry, Staten Island.
 Tift, Irving H., New York.
 Tobias, Julius D., New York.
 Todd, Hiram C., Saratoga Springs.
 †Tomlinson, Roy E., New York.
 Tompkins, Arthur S., Nyack.
 Tompkins, Hamilton B., New York.
 Tompkins, Leslie J., New York.
 Tompkins, Millard F., New York.
 Toole, John Conway, New York.
 Towne, Charles A., New York.
 Towner, Rutherford H., New York.
 Towns, Mirabeau L., New York.
 Townsend, Gerard B., New York.
 Townsend, Henry C., New York.
 Tracey, James F., Albany.
 Trapnell, Benjamin, New York.
 Treadwell, Eugene, New York.
 Truex, Charles O., New York.
 Tuckman, Stanislaus N., New York.
 Tully, James M., New York.
 Tully, William J., New York.
 Turrell, Edgar A., New York.
 Tuska, Benjamin, New York.
 Tuttle, Charles H., New York.
 Ulman, William Alban, New York.
 †Umstead, Charles H., Port Jervis.
 Untermyer, Alvin, New York.
 Untermyer, Samuel, New York.
 Van Allen, John W., Buffalo.
 Van Allen, W. B., Carthage.
 Van Benschooten, William H., New York.
 VanCleaf, Mynderse, Ithaca.
 Vandiver, Almuth C., New York.
 Van Etten, John G., Kingston.
 Van Iderstine, Robert, New York.
 †Van Kirk, Charles C., Greenwich.
 Vann, Irving Dillaye, Syracuse.
 Vann, Irving G., Syracuse.
 Van Santvoord, Seymour, Troy.
 Van Schalck, Eugene, New York.
 Van Sinderen, Howard, New York.
 Van Slyck, George W., New York.
 Vaughan, Athelstan, Long Island City.
 Vause, John J., New York.
 Veeder, Van Vechten, Brooklyn.
 Viele, Dorr, New York City.
 Vieu, Henry A., New York.
 Visscher, William L., Albany.
 Vogel, Edwin C., New York.
 Vorhaus, Louis J., New York.
 Vunk, John R., Patchogue.
 Wack, Henry Wellington, New York.
 Wadhams, Frederick E., Albany.
 Wagner, Franklin Allan, New York.
 Wainwright, J. Mayhew, New York.
 Walker, Geo. B., New York.
 Wallin, William J., Yonkers.
 Walsh, Arthur R., Albany.
 Walsh, William A., Yonkers.
 Walton, Charles W., Kingston.
 Ward, H. Judd, Troy.
 Ward, Hamilton, Buffalo.
 Ward, Henry Galbraith, New York.
 Ward, Henry M., New York.
 Wardwell, Allen, New York.
 Warfield, F. P., New York.
 Warner, James Harold, New York.
 Warren, Oscar LeRoy, White Plains.
 Washburn, Albert Henry, New York.
 Wasserman, Frank, New York.
 Waterman, Robert E., Ogdensburg.
 Waterman, Robert S., Ogdensburg.
 Waters, Louis L., Syracuse.
 Watson, Archibald Robinson, New York.
 Weadock, John C., New York.
 Webb, Willoughby Lane, New York.
 Wechsler, Martin, New York.
 Wechsler, Sigmund, New York.
 Weldon, Richard E., New York.
 Weller, Royal H., New York.
 Wells, Ernest H., New York.
 Wells, T. Tileston, New York.
 Wels, Isidor, New York.
 Wensley, Robert L., New York.
 Werner, Charles H., New York.
 Werner, William E., Albany.
 Wertime, Walter H., Cohoes.
 Wesselman, Henry B., New York.
 Westermayr, Arthur J., New York.
 Westwood, Herman J., Fredonia.
 Wetmore, Edmund, New York.
 Whalen, John, New York.
 Whalen, Robert E., Albany.
 Wheat, Alfred A., New York.
 Wheeler, Charles B., Buffalo.
 Wheeler, Everett P., New York.
 Whitg, Carleton H., Buffalo.
 White, J. DuPratt, New York.
 White, Wm. Wallace, New York.
 Whitehouse, Samuel S., New York.
 Whitfield, William R., Albany.
 Whitford, Daniel, New York.
 Whitlock, Victor E., New York.
 Whitman, Charles S., Albany.
 Whitman, Henry Hyde, New York.
 Whitney, Francis N., New York.
 Wickersham, Cornelius W., New York.

† Elected by Executive Committee between Meetings.

NEW YORK-NORTH CAROLINA.

Wickersham, George W., New York.
 Wickwire, Arthur M., New York.
 Wiener, Adam, New York.
 Wierum, Otto C., Jr., New York.
 Wilcox, Ansley, Buffalo.
 Wilder, William Royal, New York.
 Wilkie, John L., New York.
 Wilkin, Robert J., Brooklyn.
 Willcox, Orlando B., New York.
 Williams, Frank B., New York.
 Williams, Henry Davison, New York.
 Williams, Isaac N., New York.
 Williams, James D., New York.
 Williamson, Pliny W., New York.
 Wilson, E. B., New York.
 Wilson, Robert H., Brooklyn.
 Wing, Arthur K., New York.
 Wing, Henry T., New York.
 Wingate, William W., New York.
 Winkler, Max H., New York.
 Winslow, William Beverly, New York.
 Winthrop, Bronson, New York.
 Wise, Edmond E., New York.
 Wise, Henry A., New York.
 Wise, Henry M., New York.
 Witte, Herman J., New York.
 Wolcott, Frank T., New York.
 Wolf, Ralph, New York.
 †Wolf, Mervyn, New York.
 Wollman, Henry, New York.
 Wood, Hiram R., Rochester.
 Woodruff, A. Edward, New York.
 Worcester, Edwin D., New York.
 Work, James Henry, New York.
 Wright, Arthur, New York.
 Wright, Boardman, New York.
 Wright, Edwin G., Rockville Center.
 Wyckoff, J. Edwards, New York.
 Young, Charles H., New York.
 Young, Eugene N. L., Long Island City.
 Young, Owen D., New York.
 Young, Thomas, Huntington.
 Young, William, New York.
 Zabriskie, George, New York.

NORTH CAROLINA.

Adams, Junius G., Asheville.
 Adams, Thaddeus A., Charlotte.
 Alexander, Joseph E., Winston-Salem.
 Allen, Murray, Raleigh.
 Andrews, Alexander Boyd, Jr., Raleigh.
 Aydlett, E. F., Elizabeth City.
 Bassett, Lucius V., Rocky Mount.
 Bell, Marshall W., Murphy.
 Bernard, Silas G., Asheville.
 Biggs, J. Crawford, Raleigh.

Bourne, Louis M., Asheville.
 Boyd, James E., Greensboro.
 Bradshaw, George Sam., Greensboro.
 Bramham, Wm. Gibbons, Durham.
 Bridger, Roswell C., Winton.
 Bridgers, John L., Tarboro.
 Bristol, William A., Statesville.
 Britt, James J., Asheville.
 †Broadhurst, Edgar D., Greensboro.
 Brooks, Aubrey L., Greensboro.
 Brooks, Frederick H., Smithfield.
 Brown, George H., Washington.
 Buxton, John Cameron, Winston-Salem.
 Bynum, William P., Greensboro.
 Clement, L. H., Salisbury.
 Connor, Henry G., Wilson.
 Cowan, Coleman C., Sylva.
 Craige, Burton, Winston-Salem.
 Craven, Bruce, Trinity.
 Dalton, Carter, High Point.
 Dalton, Wm. Reid, Reidsville.
 Davidson, Theodore F., Asheville.
 Davis, Junius, Wilmington.
 Davis, Thomas W., Wilmington.
 Dawson, John Gilmer, Kinston.
 Dickinson, O. P., Wilson.
 Dillard, John H., Murphy.
 Douglas, Robert M., Greensboro.
 Dunn, Albion, Greenville.
 Everett, R. O., Durham.
 Ferguson, Garland S., Jr., Greensboro.
 Fuller, Jones, Durham.
 Gaskill, James R., Tarboro.
 Gilliam, H. A., Tarboro.
 Green, George C., Weldon.
 Gulon, Owen H., New Bern.
 Guthrie, Thomas C., Charlotte.
 Guthrie, William A., Durham.
 Hammer, William C., Asheville.
 Harding, F. C., Greenville.
 †Harkins, Thomas J., Asheville.
 Hastings, Gideon H., Winston-Salem.
 Hendren, W. M., Winston-Salem.
 Hicks, Thurston T., Henderson.
 †Hill, Thomas J., Murphy.
 Johnston, Fred S., Franklin.
 †Kimball, A. B., Greensboro.
 †King, Robert R., Greensboro.
 Koonce, C. D., Chadbourne.
 Land, Edward M., Goldsboro.
 Linn, Stahle, Salisbury.
 Little, James C., Raleigh.
 Long, Benjamin F., Statesville.
 McGehee, Lucius P., Chapel Hill.
 McLean, A. W., Lumberton.
 McNeill, Franklin, Raleigh.

† Elected by Association at Annual Meeting, 1915.

† Elected by Executive Committee between Meetings.

NORTH CAROLINA—NORTH DAKOTA—OHIO.

Manly, Clement, Winston-Salem.
 Manning, James S., Raleigh.
 Martin, Julius C., Asheville.
 Mason, O. F., Gastonia.
 Merrick, Duff, Asheville.
 Merrimon, James G., Asheville.
 Moore, Larry I., Newburn.
 Murphy, James Dixon, Asheville.
 Nash, Frank, Hillsboro.
 Parker, Haywood, Asheville.
 Patterson, Lindsey, Winston-Salem.
 Pless, J. W., Marion.
 Pou, James H., Raleigh.
 Preston, Edmund R., Charlotte.
 Pritchard, Jeter O., Asheville.
 Pruden, William D., Edenton.
 Raper, Emery E., Lexington.
 Redwine, R. B., Monroe.
 Robertson, Westcott, High Point.
 Rollins, Thomas Scott, Asheville.
 Rountree, George, Wilmington.
 Rouse, N. J., Kinston.
 Sams, Andrew Fuller, Winston-Salem.
 Seawell, Herbert F., Carthage.
 Skinner, Harry, Greenville.
 Small, John H., Washington.
 Smith, Robert Lee, Albemarle.
 Spence, Union L., Carthage.
 Tillett, Charles W., Charlotte.
 Townes, William A., Wilmington.
 Van Winkle, Kingsland, Asheville.
 Varner, L. R., Lumberton.
 Walker, Platt D., Raleigh.
 Ward, D. L., Newbern.
 Warren, Thomas D., Newbern.
 Webb, Edwin Y., Shelby.
 Williams, Robert R., Asheville.
 Winston, R. W., Raleigh.
 Womble, B. S., Winston-Salem.
 Woodard, Fred A., Wilson.
 Woodard, John E., Wilson.
 Zollicoffer, A. C., Henderson.

NORTH DAKOTA.

Aaker, Casper D., Minot.
 Amidon, Charles F., Fargo.
 Aylmer, Adolph W., Jamestown.
 Bangs, George A., Grand Forks.
 Bangs, Tracy R., Grand Forks.
 Birdzell, Luther E., Grand Forks.
 Bosard, Robert H., Minot.
 Brace, C. E., Crosby.
 Bronson, Harrison A., Grand Forks.
 Bruce, Andrew A., Bismarck.
 Burnett, W. F., Dickinson.
 Christianson, A. M., Bismarck.

Combs, Lee, Valley City.
 Cooley, Charles M., Grand Forks.
 Cooley, Roger W., Grand Forks.
 Craven, Thomas F., Williston.
 Cuthbert, Frederic T., Devils Lake.
 Divet, A. G., Wahpeton.
 Ellsworth, S. E., Jamestown.
 Engerud, Edward, Fargo.
 Fisk, Charles J., Bismarck.
 Flynn, Edward F., Devils Lake.
 Greene, John E., Minot.
 Halvorsen, Halvor L., Minot.
 Hildreth, Melvin A., Fargo.
 Hommes, George P., Crosby.
 Hookway, C. W., Granville.
 Johnson, James, Minot.
 Kelly, Edward P., Carrington.
 Knauf, John, Jamestown.
 Lambert, Frank B., Minot.
 Leighton, K. E., Minot.
 Levenson, Oliver, Hazen.
 Linde, H. J., Stanley.
 McGee, George A., Minot.
 McIntyre, W. A., Langdon.
 Martineau, Laureat L., St. John.
 Montgomery, J. A., Fargo.
 Murphy, Charles J., Grand Forks.
 Murphy, Francis J., Bismarck.
 Murphy, John J., Williston.
 Nichols, S. L., Mandan.
 Noble, V. B., Bottineau.
 Ogren, John W., Grand Forks.
 Palda, L. J., Jr., Minot.
 Palmer, Edwin A., Williston.
 Pollock, Robert M., Fargo.
 Purcell, Wm. E., Wahneton.
 Radcliffe, Samuel J., Larimore.
 Ritchie, David S., Valley City.
 Shaw, B. W., Mandan.
 Spalding, Burleigh Folsom, Fargo.
 Traynor, Fred. J., Devils Lake.
 Turner, Harry R., Fargo.
 Weeks, James J., Bottineau.
 Wells, George F., Grand Forks.
 Wineman, Jacob B., Grand Forks.
 Winterer, Herman, Valley City.
 Woolledge, Gaius S., Minot.
 Young, C. L., Bismarck.
 Young, Newton C., Fargo.

OHIO.

Adams, John Jay, Columbus.
 Alburn, John A., Cleveland.
 Alcorn, Albert D., Cincinnati.
 Allen, Alfred M., Cincinnati.
 Allread, James I., Columbus.

OHIO.

- Alvord, George W., Painesville.
 Andrews, Allen, Hamilton.
 Arnold, Harry B., Columbus.
 Arrel, George F., Youngstown.
 Arter, Charles K., Cleveland.
 Avery, Coleman, Cincinnati.
 Baer, Henry, Cincinnati.
 †Bacon, Leon Brooks, Cleveland.
 Bailey, Oliver G., Cincinnati.
 Baker, Newton D., Cleveland.
 Bannon, Arthur H., Portsmouth.
 Bannon, Henry, Portsmouth.
 Bannon, James W., Portsmouth.
 Barton, Edward, Cincinnati.
 Beckman, Vincent H., Cincinnati.
 Beer, William C., Bucyrus.
 Bennett, Smith W., Columbus.
 Bentley, Charles S., Cleveland.
 Berman, Oscar A., Cincinnati.
 Bettinger, Albert, Cincinnati.
 Bettman, Alfred, Cincinnati.
 Bettman, Gilbert, Cincinnati.
 Bickel, J. M., Greenville.
 Billingsley, N. B., Lisbon.
 †Black, Robert L., Cincinnati.
 Blakely, Elbert Follett, Painesville.
 Blanchard, C. E., Columbus.
 Bonham, Scott, Cincinnati.
 Bowman, Border, Springfield.
 Bowman, D. W., Greenville.
 Boyd, James Harrington, Toledo.
 Boyd, W. H., Cleveland.
 Brock, Charles E., Cleveland.
 Brown, Oren Britt, Dayton.
 Bruce, John E., Cincinnati.
 Burdsall, Charles S., Cincinnati.
 Burkett, Harlan F., Findlay.
 Burkhart, Edward E., Dayton.
 Bushnell, T. H., Cleveland.
 Buss, Charles M., Cleveland.
 Butler, James M., Columbus.
 Cable, Davis J., Lima.
 Cadwalader, Peirce J., Cincinnati.
 †Cahill, Franklin T., Cincinnati.
 Calfee, Robert M., Cleveland.
 Cannon, Austin V., Cleveland.
 Cannon, John L., Cleveland.
 †Carlisle, John F., Columbus.
 Cash, Dennis F., Cincinnati.
 Cashman, William T., Cleveland.
 Cassatt, Alfred O., Cincinnati.
 Chamberlain, John A., Cleveland.
 Chapman, John B., Cleveland.
 Cist, Charles M., Cincinnati.
 Clarke, John H., Cleveland.
 Clevenger, Frank M., Wilmington.
 Clippinger, W. W., Cincinnati.
 †Cobb, Orris P., Cincinnati.
 Cohen, Alfred M., Cincinnati.
 Colston, Edward, Cincinnati.
 Conn, H. L., Van Wert.
 Cook, E. S., Cleveland.
 Copeland, Mark A., Cleveland.
 Coppock, Charles T., Cincinnati.
 Corwin, Robert G., Dayton.
 Couse, Howard A., Cleveland.
 Craig, G. Ray., Norwalk.
 Craighead, Charles A., Dayton.
 Cramer, Nelson B., Cincinnati.
 Crawford, Harry J., Cleveland.
 Crawford, Mark, Portsmouth.
 Crowell, Robert H., Cleveland.
 Cushing, William E., Cleveland.
 Davison, Oscar F., Dayton.
 Dawley, Jay P., Cleveland.
 Day, Luther, Cleveland.
 Day, William L., East Cleveland.
 Day, William R. (Washington, D. C.).
 Canton.
 DeCamp, Walter A., Cincinnati.
 Dempsey, James H., Cleveland.
 Denman, U. G., Toledo.
 Dennis, Jerry, Columbus.
 †Doerfler, Samuel, Cleveland.
 Doolittle, H. J., Cleveland.
 Doyle, Dayton A., Akron.
 Doyle, John H., Toledo.
 Dunmore, Walter T., Cleveland.
 Dustin, Charles W., Dayton.
 Elliff, Charles W., Dayton.
 Ernst, Richard P. (Covington, Ky.), Cincinnati.
 Everts, Frank B., Cleveland.
 Fay, Jesse B., Cleveland.
 Fenning, Karl, Cleveland.
 Ferneding, Henry L., Dayton.
 Fernell, C. O., New Philadelphia.
 Ferris, Aaron A., Cincinnati.
 Fisher, Clarence A., Canton.
 Fite, Rufus L., Georgetown.
 Flory, Walter L., Cleveland.
 Follett, Alfred Dewey, Marietta.
 Follett, Edward B., Marietta.
 Foster, Israel Moore, Athens.
 Freiberg, A. Julius, Cincinnati.
 Fuller, Clifford W., Cleveland.
 Fulton, Thos. B., Newark.
 Gallaher, John A., Marietta.
 Galvin, John, Cincinnati.
 Garfield, James R., Cleveland.
 Garry, Thomas H., Cleveland.
 Gatch, Lewis N., Cincinnati.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

OHIO.

- Geddes, Frederick L., Toledo.
 Geoghegan, William A., Cincinnati.
 Gilmore, Clement R., Dayton.
 Glam, R. C., Dayton.
 Goldsmith, Geoffrey, Cincinnati.
 Goldsmith, Max, Columbus.
 Goulder, Harvey D., Cleveland.
 Grant, Richard F., Cleveland.
 Graydon, Joseph S., Cincinnati.
 Greenberger, N. M., Akron.
 Greve, Charles Theodore, Cincinnati.
 Groot, George A., Cleveland.
 Hadden, Alexander, Cleveland.
 Hainen, Frank E., Cleveland.
 Haines, W. A., Troy.
 Halfhill, James W., Lima.
 Hall, Almon, Toledo.
 Harlan, Walter S., Hamilton.
 Harmon, Judson, Cincinnati.
 Harper, Jacob Chandler, Cincinnati.
 Harrington, N. R., Bowling Green.
 Harris, George B., Cleveland.
 Harris, Henry B., Defiance.
 Harris, William H., Toledo.
 Hartley, M. J., Xenia.
 Heidingsfeld, Ben L., Cincinnati.
 Henderson, D. C., Lima.
 Henderson, John M., Cleveland.
 Henderson, Wm. O., Columbus.
 Hermann, John C., Cincinnati.
 Herrick, Myron T., Cleveland.
 Hilliard, J. V., Newark.
 Hine, Charles P., Cleveland.
 Hines, Clark B., Bellville.
 Hinkle, Thornton M., Cincinnati.
 Hoadly, George, Cincinnati.
 Hoffheimer, Harry M., Cincinnati.
 Hoffman, Charles W., Cincinnati.
 Hogsett, Thomas H., Cleveland.
 Holbrook, Ralph S., Toledo.
 Holcomb, A. T., Portsmouth.
 Hollister, Howard C., Cincinnati.
 Holmes, John R., Cincinnati.
 Hopkins, William R., Cleveland.
 Hoses, Lewis M., Cincinnati.
 †Howard, Edwin J., Cincinnati.
 Howard, William S., Xenia.
 Howland, Paul, Cleveland.
 Hoyt, James H., Cleveland.
 Hudson, T. F., Springfield.
 Humphries, John E., Cincinnati.
 Hunt, Charles B., Coshocton.
 Hunt, Charles J., Cincinnati.
 Hurley, F. E., Findlay.
 Huston, John A., Steubenville.
 Huston, W. Clay, Bellefontaine.
 Iddings, Daniel W., Dayton.
 Ingersoll, Alvan F., Cleveland.
 James, Benjamin F., Bowling Green.
 James, Francis B., Cincinnati (Washington, D. C.).
 James, Lee Warren, Dayton.
 Jelke, Ferdinand, Jr., Cincinnati.
 Jerome, F. J., Cleveland.
 Johnson, A. R., Ironton.
 Johnson, Clyde P., Cincinnati.
 Johnson, Homer H., Cleveland.
 Johnson, J. William, Cincinnati.
 Johnson, James G., Columbus.
 Johnson, Simeon M., Cincinnati.
 Johnson, Thomas Lynn, Cleveland.
 Johnston, Floyd A., Springfield.
 Jones, Asahel W., Burg Hill.
 Kassulker, Paul G., Cleveland.
 Keating, Thomas J., Columbus.
 †Kemper, Frank H., Cincinnati.
 Kennon, Newell K., St. Clairsville.
 Kepperley, James E., Toledo.
 Kibler, Edward, Newark.
 Killitts, John M., Toledo.
 King, Edmund B., Sandusky.
 King, Harry E., Toledo.
 King, Robert J., Zanesville.
 Kinney, Guy W., Toledo.
 Kline, Virgil P., Cleveland.
 Klotz, Solon T., Toledo.
 Knight, Walter A., Cincinnati.
 Koonce, Charles, Jr., Youngstown.
 Kretzer, John W., Dayton.
 Kuhns, Ezra M., Dayton.
 Kyes, Lafayette M., East Palestine.
 Lackner, Joseph L., Cincinnati.
 Laylin, Lewis C., Columbus.
 McAvoy, Malcolm, Cincinnati.
 McCann, Benjamin F., Dayton.
 McCarthy, M. B., Toledo.
 McCarty, R. J., Dayton.
 McCleary, Clayton A., Columbus.
 McConnaughey, W. S., Dayton.
 McKee, Charles J., Dayton.
 McKeehan, H. H., Cleveland.
 McKimmon, Robert Erastus, Cleveland.
 McMahon, J. Sprigg, Dayton.
 McMahon, John A., Dayton.
 Mack, Alfred, Cincinnati.
 Maher, John F., Greenville.
 Mallon, Guy, Cincinnati.
 Marckworth, John H., Cincinnati.
 Marshall, Edwin J., Toledo.
 Martin, Paul C., Springfield.
 Martin, Ulysses S., Dayton.
 Marvin, Francis R., Cleveland.
 Marx, Robert S., Cincinnati.

† Elected by Executive Committee between Meetings.

OHIO.

- Massie, David M., Chillicothe.
 Mather, Nation O., Akron.
 Mathers, H. T., Sidney.
 Mattern, Conrad J., Dayton.
 Matthews, O. Bentley, Cincinnati.
 Matthews, Edwin P., Dayton.
 Matthews, Mortimer, Cincinnati.
 Maurer, W. F., Cleveland.
 Maxwell, Lawrence, Cincinnati.
 Meals, Walter D., Cleveland.
 Merrell, Wm. S., Ooshooton.
 Meyer, Edward E., Zanesville.
 Meyer, William J., Portsmouth.
 Middleswurt, O. O., Marietta.
 Middleton, E. P., Urbana.
 Miller, A. Jay, Bellefontaine.
 Miller, Nelson D., Steubenville.
 Miller, W. McD., Steubenville.
 Mitchell, Alfred H., St. Clairsville.
 Morley, J. E., Cleveland.
 Morton, Elbert C., Columbus.
 Moulton, Frank W., Portsmouth.
 Mueller, Curt B., Cleveland.
 Murray, Walter F., Cincinnati.
 Musser, Harvey, Akron.
 Nevin, Robert R., Dayton.
 Newbegin, Henry, Defiance.
 Newcomb, R. B., Cleveland.
 Nichols, Hugh L., Batavia.
 Nichols, John, Cincinnati.
 Norris, Myron A., Youngstown.
 O'Hara, Joseph W., Cincinnati.
 Ohl, Guy T., Youngstown.
 Ong, Walter C., Cleveland.
 Ormond, John M., Toledo.
 Ozias, George W., Dayton.
 Pattison, Charles W., Cleveland.
 Payer, H. F., Cleveland.
 Peters, Edward F., Cincinnati.
 Phillips, John P., Chillicothe.
 Pogue, Province M., Cincinnati.
 Pomerene, Atlee, Canton.
 Postlewaite, David N., Columbus.
 Potter, Emery D., Toledo.
 Powell, L. K., Mt. Gilead.
 Prather, William W., Cincinnati.
 Prugh, Harry H., Dayton.
 Pugh, Robert C., Cincinnati.
 Quail, Frank A., Cleveland.
 Rector, Fred C., Columbus.
 Reynolds, A. G., Painesville.
 Rielly, William J., Cincinnati.
 Rightmire, George W., Columbus.
 Riley, George B., Cleveland.
 Ritchie, Edwards, Cincinnati.
 Robertson, C. D., Cincinnati.
 Robeson, Andrew C., Greenville.
 Roettinger, Stanley C., Cincinnati.
 Rogers, William P., Cincinnati.
 Ronnebaum, Anthony, Cincinnati.
 Rothenberg, William, Cleveland.
 Rouse, John T., Cincinnati.
 Ryan, Richard, Cleveland.
 Sampliner, Joseph H., Cleveland.
 Sanders, W. B., Cleveland.
 Sater, John E., Columbus.
 Schaefer, Carl W., Cleveland.
 Schindel, John Randolph, Cincinnati.
 Schmitt, Walter, Cincinnati.
 Schorr, David P., Cincinnati.
 Schultz, Malvern E., Cleveland.
 Scott, Samuel Parsons, Hillsboro.
 Seager, Frank E., Fremont.
 Seasongood, Murray, Cincinnati.
 Siddall, George B., Cleveland.
 Sieber, George W., Akron.
 Simmons, George D., Hicksville.
 Smart, John Harrow, Cleveland.
 Smiley, James J., Cincinnati.
 Smith, A. L., Marietta.
 Smith, Charles B., Cincinnati.
 Smith, Rufus B., Cincinnati.
 Smith, Samuel W., Jr., Cincinnati.
 Southworth, Constant, Cincinnati.
 Sprigg, Carroll, Dayton.
 Squire, Andrew, Cleveland.
 Stahl, Charles H., Akron.
 Stasel, Albert A., Newark.
 Steinemann, George C., Sandusky.
 Stephens, Charles H., Cincinnati.
 Stettinius, John L., Cincinnati.
 Stewart, James G., Cincinnati.
 Stoehr, Oscar, Cincinnati.
 Stricker, Sidney G., Cincinnati.
 Strong, Edward W., Cincinnati.
 Stueve, C. A., Wapakoneta.
 Suire, Frank O., Cincinnati.
 Sullivan, John J., Cleveland.
 Sutphin, Dudley V., Cincinnati.
 Sykes, W. E., Marietta.
 Taft, William H. (New Haven), Cincinnati.
 Taggart, Frank, Wooster.
 Taggart, Jay P., Ada.
 Taylor, Jonathan, Akron.
 Throckmorton, Archibald H., Cleveland.
 VanDeman, John N., Dayton.
 Vodrey, William H., East Liverpool.
 Vollrath, Edward, Bucyrus.
 Vorys, Arthur I., Columbus.
 Wachner, C. S., Cleveland.
 Waite, Morison R., Cincinnati.
 Walker, Charles A. J., Cincinnati.
 Walsh, James F., Cleveland.

OHIO—OKLAHOMA.

Warrington, John W., Cincinnati.
 Watson, James D., Tiffin.
 Wesselmann, Frederick E., Cincinnati.
 Wheeler, Seth S., Lima.
 White, John G., Cleveland.
 Wilby, Charles B., Cincinnati.
 †Wilby, Mitchell, Cincinnati.
 Wilkin, Robert N., New Philadelphia.
 Wing, Francis J., Cleveland.
 Wood, William R., Cincinnati.
 Worman, Philip H., Dayton.
 Worthington, William, Cincinnati.
 Wright, C. V., Logan.
 Young, George R., Dayton.
 Young, W. E., Akron.

OKLAHOMA.

Ames, Charles B., Oklahoma City.
 Armstrong, James R., Oklahoma City.
 Austin, W. O., Eldorado.
 Bierer, A. G. Curtin, Guthrie.
 Blair, Robert F., Wagoner.
 Blake, C. O., El Reno.
 Bond, Reford, Chickasha.
 Boone, Robert J., Tulsa.
 Braucht, H. S., Newkirk.
 Brennan, John H., Bartlesville.
 Brewer, P. D., Oklahoma City.
 Brown, G. A., Mangum.
 Brunson, D. D., Coalgate.
 Burwell, Benjamin F., Oklahoma City.
 Caldwell, Fred S., Oklahoma City.
 Calhoun, Samuel A., Oklahoma City.
 Campbell, R. M., Oklahoma City.
 Campbell Ralph E., Muskogee.
 Carmichael, J. D., Chickasha.
 Caruthers, John, Okemah.
 Chambers, T. G., Oklahoma City.
 Cottrell, John H., Guthrie.
 Crane, Douglas B., Oklahoma City.
 Crockett, A. P., Oklahoma City.
 †Curran John F., Enid.
 Davenport, James S., Vinita.
 DeMeules, Edgar A., Muskogee.
 Dudley, J. B., Norman.
 Embry, John, Oklahoma City.
 Epperson, B. H., Ada.
 Everest, J. H., Oklahoma City.
 Fooshee, George A., Coalgate.
 Foster, E. H., Oklahoma City.
 Foster, Henry H., Norman.
 Fuller, William Hayes, McAlester.
 Furry, J. B., Muskogee.
 Galbraith, Clinton A., Oklahoma City.
 Gordon, James H., McAlester.
 Grant, J. H., Oklahoma City.
 Green, Geo. M., Oklahoma City.
 †Grinstead, Elmer E., Pawhuska.
 Hammerly, Harry, Chickasha.
 Harreld, J. W., Ardmore.
 Harris, S. H., Oklahoma City.
 Harrison, John B., Oklahoma City.
 Hayes, Samuel W., Oklahoma City.
 Hoffman, Roy, Chandler.
 Humphreys, J. M., Atoka.
 Huston, A. H., Guthrie.
 Jackson, Clifford L., Muskogee.
 Johnson, Charles Edward, Oklahoma City.
 Jones, Philos S., Wilburton.
 Kane, John H., Bartlesville.
 Kane, Matthew J., Oklahoma City.
 Keaton, James R., Oklahoma City.
 King, John H., Muskogee.
 Kleinschmidt, R. A., Oklahoma City.
 Kornegay, W. H., Vinita.
 Kulp, Victor H., Norman.
 Ledbetter, H. A., Ardmore.
 †Linebaugh, D. H., Muskogee.
 Longfellow, G. N., Oklahoma City.
 Lowe, Russell G., Oklahoma City.
 Lybrand, Walter A., Oklahoma City.
 †McCain, Farrah L., Muskogee.
 McDougal, D. A., Sapulpa.
 McGraw, Henry, Tulsa.
 McInnis, E. E., McAlester.
 McKeown, Tom D., Ada.
 Mason, Herbert Delavan, Tulsa.
 Matthews, William M., Okmulgee.
 Meister, M. G., Oklahoma City.
 Melton, Adrian, Chickasha.
 †Merrill, W. B., Oklahoma City.
 Miller, Charles W., Holdenville.
 Moore, C. G., Purcell.
 Moore, Charles L., Oklahoma City.
 Moore, W. H., El Reno.
 Mosier, John H., Muskogee.
 Mullen, J. S., Ardmore.
 Noffsinger, W. W., Muskogee.
 Nowlin, Claude, Oklahoma City.
 O'Meara, J. P., Tulsa.
 †Orton, L. V., Pawnee.
 Owen, Frederick B., Oklahoma City.
 †Parker, Charles H., Enid.
 Patterson, John B., Okemah.
 Peck, Herbert M., Oklahoma City.
 Ralls, Joseph G., Atoka.
 Ramsey, George S., Muskogee.
 †Randolph, Charles T., Clinton.
 Riddle, F. E., Chickasha.
 Rittenhouse, George B., Chandler.
 Roberts, Richard, El Reno.
 Robertson, J. B. A., Oklahoma City.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

OKLAHOMA-OREGON-PENNSYLVANIA.

Rogers, Harry H., Tulsa.
 Rosser, Malcolm E., Muskogee.
 Rowland, Lloyd A., Bartlesville.
 Sharp, J. F., Oklahoma City.
 Shear, B. D., Oklahoma City.
 Smith, Charles C., Guthrie.
 Smith, Charles F., Oklahoma City.
 Snyder, Warren K., Oklahoma City.
 Spiers, Edward, Oklahoma City.
 Stone, Joseph C., Muskogee.
 Stuart, Charles B., Oklahoma City.
 Stuart, H. L., Oklahoma City.
 Suits, Fred E., Oklahoma City.
 Thacker, Chas. M., Oklahoma City.
 Treadwell, Stephen C., Oklahoma City.
 Trice, George, Coalgate.
 Varner, T. T., Poteau.
 Veasey, James A., Tulsa.
 Vigg, Sandor J., Alva.
 Wagoner, Fred A., Chandler.
 Watts, Charles G., Wagoner.
 Welch, Ralph P., Holdenville.
 Wells, Frank, Oklahoma City.
 Williams, Robert L., Durant.
 Wilson, W. F., Oklahoma City.
 Womack, G. F., Duncan.
 Womack, T. J., Alva.
 Wright, Allen, McAlester.
 Zevely, J. W., Muskogee.

OREGON.

Allen, Harrison, Portland.
 †Anderson, Gustav, Baker.
 Bean, Robert S., Portland.
 Bowerman, Jay, Portland.
 Bradshaw, W. L., The Dalles.
 Bristol, William C., Portland.
 Calkins, Frank M., Medford.
 Carey, Charles H., Portland.
 Carson, John A., Salem.
 Carter, Charles H., Pendleton.
 Clark, Alfred E., Portland.
 Coahow, O. P., Roseburg.
 Cotton, William W., Portland.
 Davis, George N., Portland.
 Duniway, Ralph E., Portland.
 Eakin, Robert, Salem.
 Emmons, Arthur C., Portland.
 Gale, Herbert D., Klamath Falls.
 Gantenbein, Calvin U., Portland.
 Gearin, John M., Portland.
 Geisler, T. J., Portland.
 Gilbert, William B., Portland.
 Gilman, L. C., Portland.
 Greene, Thomas G., Portland.

Griffith, Franklin T., Portland.
 Hampson, Alfred A., Portland.
 Hart, Charles A., Portland.
 Hayter, Oscar, Dallas.
 Hellner, Joseph J., Baker.
 Hill, Gale S., Albany.
 Hill, Samuel, Portland.
 Hollis, W. H., Forest Grove.
 Holman, Frederick V., Portland.
 Jeffries, James T., Astoria.
 †Johnson, William A., Portland.
 Kerr, James B., Portland.
 King, Will R. (Washington, D. C.), Salem.
 Langguth, Arthur, Portland.
 La Roche, Walter P., Portland.
 McBride, Thomas A., Salem.
 McCamant, Wallace, Portland.
 McCourt, John, Portland.
 McNary, Charles L., Salem.
 McNary, John H., Salem.
 Makelim, W. J., Portland.
 Minor, Wirt, Portland.
 Montague, Richard W., Portland.
 Moore, F. A., Salem.
 Mosesohn, David N., Portland.
 Mulkey, Frederick W., Portland.
 Nelson, Roscoe C., Portland.
 Norblad, A. W., Astoria.
 Ofner, Jacob B., Portland.
 Platt, Robert Treat, Portland.
 Potter, E. O., Eugene.
 Reames, Clarence L., Portland.
 Reed, Sanderson, Portland.
 Schnabel, Charles J., Portland.
 Smith, Isham, N., Portland.
 Standifer, I. M., Portland.
 Stearns, J. O., Portland.
 Teal, Joseph N., Portland.
 Thompson, W. Lair, Lakeview.
 Tift, Arthur P., Portland.
 Van Zante, John, Portland.
 Veazie, A. L., Portland.
 Webster, Lionel R., Portland.
 †Winfree, A. B., Portland.
 Wolverton, Charles E., Portland.

PENNSYLVANIA.

Abbott, Edwin M., Philadelphia.
 Acheson, M. W., Jr., Pittsburgh.
 Adams, J. B., Uniontown.
 Adams, John S., Philadelphia.
 Adams, W. B., Punxsutawney.
 Adler, Francis Cope, Philadelphia.
 Aiken, Robert K., New Castle.
 Ainey, W. D. B., Montrose.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

PENNSYLVANIA.

- Albright, Haines D., Philadelphia.
 Alexander, Benjamin, Philadelphia.
 Alexander, Lucien Hugh, Philadelphia.
 Allen, William Harrison, Warren.
 Ammon, Samuel A., Pittsburgh.
 Amram, David Werner, Philadelphia.
 Anderson, William Y. O., Philadelphia.
 Appel, William Nevin, Lancaster.
 Arnold, Arthur S., Philadelphia.
 Ashton, Chester H., Knoxville.
 Aubrey, George W., Allentown.
 Bailey, Charles L., Jr., Harrisburg.
 Bailey, Thomas F., Huntingdon.
 Baker, Charles G., Lancaster.
 Baker, H. T., Milford.
 Baldrige, Thomas J., Hollidaysburg.
 Banks, J. N., Indiana.
 Barlow, Thomas W., Philadelphia.
 Barnes, John Hampton, Philadelphia.
 Barnhart, Frank P., Johnstown.
 Barratt, Norris S., Philadelphia.
 Basehore, Samuel E., Mechanicsburg.
 Basler, John W., Sunbury.
 Bauerle, Albert T., Philadelphia.
 Bauerle, Harry T., Philadelphia.
 Bayard, James Wilson, Philadelphia.
 Beal, James H., Pittsburgh.
 Bedford, George R., Wilkes-Barre.
 Bedford, J. Claude, Philadelphia.
 Bedford, Paul, Wilkes-Barre.
 Beeber, Dimner, Philadelphia.
 Beeber, William P., Williamsport.
 Beitler, Abraham M., Philadelphia.
 Beitler, Harold B., Philadelphia.
 Bell, John O., Philadelphia.
 Bergen, Martin V., Philadelphia.
 Berger, Charles E., Pottsville.
 Bergner, Charles H., Harrisburg.
 Berkey, J. A., Somerset.
 Beshlin, E. H., Warren.
 Biddle, Charles, Philadelphia.
 Black, Jeremiah S., York.
 Blair, Homer R., Franklin.
 Blakeley, William A., Pittsburgh.
 Blanchard, John, Bellefonte.
 Blaxter, H. V., Pittsburgh.
 Rockius, Morris R., Philadelphia.
 Boger, Charles W., Philadelphia.
 Bohlen, Francis H., Philadelphia.
 Bonsall, Edward H., Philadelphia.
 Borneman, Henry S., Philadelphia.
 Bortin, David, Philadelphia.
 Bowker, George C., Philadelphia.
 Bowman, W. P., Philadelphia.
 Bowser, S. F., Butler.
 Boyer, Henry C., Philadelphia.
 Bracken, Francis B., Philadelphia.
 Braden, James P., Washington.
 Brady, John T., Harrisburg.
 Breen, James J., Philadelphia.
 Breitingner, Frederick L., Philadelphia.
 Breitingner, J. Louis, Philadelphia.
 Brennen, W. J., Pittsburgh.
 Brice, Philip H., Philadelphia.
 Bright, Robert S., Philadelphia.
 Brinton, Jasper Yeates, Philadelphia.
 Brinton, Joseph Hill, Philadelphia.
 Brooks, John B., Erie.
 Broomall, John M., Media.
 Brown, Charles L., Philadelphia.
 Brown, Francis Shunk, Philadelphia.
 Brown, George Frank, Titusville.
 Brown, Henry P., Philadelphia.
 Brown, J. Hay, Lancaster.
 Brown, John A., Philadelphia.
 Brown, Reynolds D., Philadelphia.
 Brown, Thomas Stephen, Pittsburgh.
 Brown, William Alexander, Philadelphia.
 Brown, Wm. Findlay, Philadelphia.
 Brown, Wm. Wallace, Bradford.
 Budd, Henry, Philadelphia.
 Bunnell, W. O., Wilkes-Barre.
 Bunting, Joseph T., Philadelphia.
 Burgwin, A. P., Pittsburgh.
 Burgwin, George C., Pittsburgh.
 Burnett, William H., Philadelphia.
 Burr, James E., Scranton.
 Butkiewicz, Thomas, Jr., Wilkes-Barre.
 Butler, J. Edgar, Philadelphia.
 Butz, Reuben J., Allentown.
 Cadwalader, John, Philadelphia.
 Cadwalader, John, Jr., Philadelphia.
 Cadwalader, Richard M., Philadelphia.
 Calderwood, John E., Punxsutawney.
 Callahan, S. James, New Castle.
 Calvert, George H., Pittsburgh.
 Campbell, A. C., Wilkes-Barre.
 Campbell, Bruce H., Johnstown.
 Campbell, George J., Pittsburgh.
 Campbell, John M., Philadelphia.
 Cantrell, Francis S., Jr., Philadelphia.
 Carpenter, J. McF., Pittsburgh.
 Carr, Geo. Wentworth, Philadelphia.
 Carr, John M., Hazleton.
 Carr, W. Russell, Uniontown.
 Carr, Wm. Wilkins, Philadelphia.
 Carringer, M. A., Tonawanda.
 Carroll, W. S., Erie.
 Carson, Hampton L., Philadelphia.
 Carson, Joseph, Philadelphia.
 Chalfant, John W., Pittsburgh.
 Chambers, Francis T., Philadelphia.
 Chapman, Francis, Philadelphia.
 Chapman, S. Spencer, Philadelphia.

PENNSYLVANIA.

Chew, Samuel, Philadelphia.
 Childs, Louis M., Norristown.
 Chisolm, Wm. Wallace, Huntingdon.
 Christian, Frank S., Philadelphia.
 Clark, Frederic L., Philadelphia.
 Clark, Joseph S., Philadelphia.
 Clarke, John J., Philadelphia.
 Clement, Charles M., Sunbury.
 Clement, Samuel M., Jr., Philadelphia.
 Cleveland, E. J., Canton.
 Cochran, A. A., Chester.
 Cochran, Richard E., York.
 Cochran, Thomas Cunningham, Mercer.
 Cody, Frank M., Philadelphia.
 Coffin, George F., Easton.
 Colahan, John Barry, Jr., Philadelphia.
 Comegys, Cornelius, Scranton.
 Connellan, John H., Philadelphia.
 Conrad, W. N., Brookville.
 Cooper, Samuel W., Philadelphia.
 Cornwell, Robert T., West Chester.
 Cotton, Harry A., Brownsville.
 Crocker, William D., Williamsport.
 Cronin, Charles I., Philadelphia.
 Crowley, Jera J., Philadelphia.
 Culbertson, Horace J., Lewistown.
 Cumming, Benjamin W., Jr., Pottsville.
 Cunningham, J. E. B., Harrisburg.
 Cuyler, Thomas DeWitt, Philadelphia.
 Dahlinger, Charles W., Pittsburgh.
 Daix, Augustus F., Jr., Philadelphia.
 Daly, T. M., Philadelphia.
 Dalzell, William S., Pittsburgh.
 Dana, Richard F., New Castle.
 Dana, Samuel W., New Castle.
 Dannehower, Wm. F., Norristown.
 Darling, Thomas, Wilkes-Barre.
 Darlington, Geo. E., Media.
 Darrach, Henry, Philadelphia.
 Darragh, Robert W., Beaver.
 Davis, Chas., Philadelphia.
 Davis, Horace W., Sharon.
 Davis, M. M., Reynoldsville.
 Davis, William A., Philadelphia.
 Davis, Wm. Potter, Jr., Philadelphia.
 Decker, Victor A., Hawley.
 Deemer, Wm. Russell, Williamsport.
 DeHaven, Alex. M., Philadelphia.
 Deiser, George F., Philadelphia.
 DeKinder, Joseph J., Philadelphia.
 Derr, Andrew F., Wilkes-Barre.
 Derr, Cyrus G., Reading.
 Deshler, James B., Allentown.
 Devereux, Ashton, Philadelphia.
 Dick, Lewis R., Philadelphia.
 Dickey, John, Jr., Philadelphia.

Dickinson, Joseph R., Reading.
 Dickinson, O. B., Chester.
 Dillinger, Dallas, Jr., Allentown.
 Dively, Augustus V., Altoona.
 Dively, Edwin L., Altoona.
 Dixon, Edwin S., Philadelphia.
 Dixon, Samuel G., Philadelphia.
 Donahue, Frank Rogers, Philadelphia.
 Doran, Joseph L., Philadelphia.
 Dorris, John D., Huntingdon.
 Downing, Charles H., Philadelphia.
 Doyle, Michael Francis, Philadelphia.
 Drake, Frederick S., Philadelphia.
 Drinker, Henry S., Jr., Philadelphia.
 Driacoll, D. J., St. Mary's.
 Duane, Russell, Philadelphia.
 Duy, A. W., Bloomsburg.
 Eaby, C. Reese, Lancaster.
 Eaton, Arthur B., Philadelphia.
 Edmonds, Franklin S., Philadelphia.
 Edmunds, Henry R., Philadelphia.
 Edwards, George J., Jr., Philadelphia.
 Edwards, H. M., Scranton.
 Ehrlich, Franz, Jr., Philadelphia.
 Eichenauer, John B., Pittsburgh.
 Eichholz, Adolph, Philadelphia.
 Eimerman, C. H., Philadelphia.
 Elder, Irvin C., Chambersburg.
 Eldred, A. G., Warren.
 Ellis, William S., Philadelphia.
 Embury, Joseph B., Philadelphia.
 Endlich, Gustav A., Reading.
 Endsley, H. S., Johnstown.
 Englander, Samuel, Philadelphia.
 Eshleman, Geo. Ross, Lancaster.
 Eshleman, H. Frank, Lancaster.
 Esling, Henry C., Philadelphia.
 Evans, Henry O., Pittsburgh.
 Evans, John Lewis, Philadelphia.
 Evans, Montgomery, Norristown.
 Fahy, Thomas A., Philadelphia.
 Fahy, Walter T., Philadelphia.
 Farnham, Alexander, Wilkes-Barre.
 Faught, Albert Smith, Philadelphia.
 Faust, Wm. B., Mount Carmel.
 Fenstermaker, Thomas A., Philadelphia.
 Fenton, Hector T., Philadelphia.
 Ferguson, Wm. B. S., Philadelphia.
 Fish, Henry E., Erie.
 Fisher, George H., Philadelphia.
 Fisher, Gordon, Pittsburgh.
 Fisher, John S., Indiana.
 Fisher, William Righter, Philadelphia.
 Fitzgerald, Wm. J., Scranton.
 Flaherty, James A., Philadelphia.
 Fletcher, J. Gilmore, Pittsburgh.

‡ Elected by Association at Annual Meeting, 1915.

PENNSYLVANIA.

- Flick, Edward H., Altoona.
 Flowers, George W., Pittsburgh.
 Folz, Leon H., Philadelphia.
 Fols, Stanley, Philadelphia.
 Ford, Thomas J., Pittsburgh.
 Foster, Geo. A., Johnstown.
 Fow, John H., Philadelphia.
 Fox, Charles Edwin, Philadelphia.
 Fox, Edward J., Easton.
 Fox, Henry I., Norristown.
 Fox, John E., Harrisburg.
 Fraley, Joseph C., Philadelphia.
 Fraser, Robert S., Pittsburgh.
 Fredericks, John T., Williamsport.
 Fries, Henry K., Philadelphia.
 Gaither, Paul H., Greensburg.
 Gallager, Francis G., Philadelphia.
 Garman, John M., Wilkes-Barre.
 Gates, Jay, Philadelphia.
 Gates, Thomas S., Philadelphia.
 Geary, Alexander B., Chester.
 Geiger, Frederick J., Philadelphia.
 Gemmill, Wm. B., York.
 Geraghty, Michael J., Philadelphia.
 Gest, John Marshall, Philadelphia.
 Gheen, John H., West Chester.
 Gibson, Clyde, New Castle.
 Gillfillan, Alex., Pittsburgh.
 Glikyson, H. H., Phoenixville.
 Glikyson, T. Walter, Philadelphia.
 Gill, Harry Blair, Philadelphia.
 Gill, Henry Sterling, Greensburg.
 Gillespie, Charles D., Pittsburgh.
 Glasgow, William A., Jr., Philadelphia.
 Glenn, Edwin F., Philadelphia.
 Goldsmith, Aaron, Easton.
 Goodbread, Joseph S., Philadelphia.
 Goodwin, Willard H., Wilkes-Barre.
 Gordon, George B., Pittsburgh.
 Gordon, James Gay, Philadelphia.
 Gorman, William, Philadelphia.
 Gourley, James P., Philadelphia.
 Graham, George S., Philadelphia.
 Granger, Percival H., Philadelphia.
 Gray, James C., Pittsburgh.
 Gray, William A., Philadelphia.
 Green, Ernest L., Media.
 Greer, Charles C., Johnstown.
 Greevy, Thomas H., Altoona.
 Griffith, Warren G., Philadelphia.
 Gross, Joseph, Philadelphia.
 Gumbes, Francis Macomb, Philadelphia.
 Gunnison, Frank, Erie.
 Guthrie, George W., Pittsburgh.
 Guthrie, Walter J., Pittsburgh.
 Hagan, Alonzo C., Uniontown.
 Haggarty, Cornelius, Jr., Philadelphia.
 Haig, Alfred B., Philadelphia.
 Hall, Harry Alvan, Ridgway.
 Hall, William M., Pittsburgh.
 Hallman, E. L., Norristown.
 Hanna, Meredith, Philadelphia.
 Hargest William M., Harrisburg.
 Harkins, George W., Philadelphia.
 Harkins, George W., Jr., Philadelphia.
 Harrington, Avery D., Philadelphia.
 Harrington, David C., Scranton.
 Harris, Bernard, Philadelphia.
 Harris, Henry O., Doylestown.
 Harris, John M., Scranton.
 Harris, W. S., West Chester.
 Harrison, J. Harvey, Pittsburgh.
 Hartman, Galen C., Pittsburgh.
 Hastings, Q. D., Franklin.
 Hatfield, Henry Reed, Philadelphia.
 Hause, J. Frank E., West Chester.
 Haviland, John, Jr., Phoenixville.
 Hawkins, Richard H., Pittsburgh.
 Hazzard, Vernon, Monongahela.
 Head, John B., (Greensburg) Philadelphia.
 Heebner, Charles, Philadelphia.
 Heiligman, Otto Robert, Philadelphia.
 Heiserman, C. B., Pittsburgh.
 Heller, E. F., Wilkes-Barre.
 Hemphill, Joseph, West Chester.
 Henderson, George, Philadelphia.
 Henderson, John J., Meadville.
 Henderson, R. A., Altoona.
 Henry, C. V., Lebanon.
 Hepburn, C. J., Philadelphia.
 Herman, John A., Harrisburg.
 Herr, Daniel C., Harrisburg.
 Hertzog, D. M., Uniontown.
 Herzberg, Max, Philadelphia.
 Hetrick, John N., Lancaster.
 Hewitt, Luther E., Philadelphia.
 Hibberd, D. P., Philadelphia.
 Hice, Agnew, Beaver.
 Hicks, J. D., Altoona.
 Hiester, Isaac, Reading.
 Higby, Clinton D., Erie.
 Hinckley, John C., Philadelphia.
 Hipple, Henry, Lock Haven.
 Hirst, Anthony A., Philadelphia.
 Hochstadter, Harry C., Philadelphia.
 Hoefler, Henry A., Philadelphia.
 Hoffman, John D., Bethlehem.
 Hoke, John W., Chambersburg.
 Holding, A. M., West Chester.
 Holt, Richard S., Beaver.
 Hood, James E., Philadelphia.
 Hopwood, R. F., Uniontown.
 Horwitz, George Q., Philadelphia.

PENNSYLVANIA.

Hosack, George M., Pittsburgh.
 Howson, Charles, Philadelphia.
 Howson, Charles H., Philadelphia.
 Huey, Arthur B., Philadelphia.
 Hunsicker, Charles O., Allentown.
 Hunter, Ernest Howard, Philadelphia.
 Imbrie, A. M., Pittsburgh.
 Irwin, Ernest C., Pittsburgh.
 Irwin, R. W., Washington.
 Jackson, Arthur E. I., Philadelphia.
 Jacobs, Frank, Allentown.
 James, Henry A., Doylestown.
 Jayne, H. LaBarre, Philadelphia.
 Jenkins, John E., Wilkes-Barre.
 Jenkins, Theodore F., Philadelphia.
 Jenks, Robert D., Philadelphia.
 Johnson, George B., West Chester.
 Johnson, Howard Cooper, Philadelphia.
 Johnson, John Washington, Westgrove.
 Jones, G. Von Phul, Philadelphia.
 Jones, Geo. M., Reading.
 Jones, J. Levering, Philadelphia.
 Jones, James Collins, Philadelphia.
 Jones, Richmond L., Reading.
 Junkin, Joseph deF., Philadelphia.
 Kahle, Frederick L., Pittsburgh.
 Kane, Francis Fisher, Philadelphia.
 Kane, John Kent, Philadelphia.
 Kantner, H. F., Reading.
 Kay, James L., Pittsburgh.
 Keene, Geo. Frederick, Philadelphia.
 Ketover, Charles F., Uniontown.
 Keith, John D., Gettysburg.
 Keller, William H., Lancaster.
 Kelly, John P., Scranton.
 Kendrick, Murdoch, Philadelphia.
 Kent, Edward J., Pittsburgh.
 Keppelman, John A., Reading.
 Kingston, Harry T., Philadelphia.
 Kinley, James B., Philadelphia.
 Kirkpatrick, William S., Easton.
 Kline, C. W., Hazleton.
 Knapp, Henry Alonzo, Scranton.
 Knaus, Frederick J., Philadelphia.
 Knight, Harry S., Sunbury.
 Knox, Philander C. (Washington, D. C.), Pittsburgh.
 Kohler, Otto, Meadville.
 Kramer, W. L., Pottsville.
 Krause, James B., Williamsport.
 Kress, W. C., Lock Haven.
 Kunkle, John E., Greensburg.
 Kyle, William J., Waynesburg.
 Lackey, Thomas S., Uniontown.
 Lamorelle, Joseph F., Philadelphia.
 Landis, Charles I., Lancaster.
 Landis, William P., Ardmore.

Landreth, Lucius S., Philadelphia.
 Lank, Edgar W., Philadelphia.
 Larned, Frank W., Wilkes-Barre.
 Larzelere, Nicholas H., Norristown.
 Laubenstein, Frank J., Ashland.
 Lawson, William J., Philadelphia.
 Leach, Will, Scranton.
 Lee, William H., Honesdale.
 Lelser, Andrew Albright, Lewisburg.
 Leonard, Frederick M., Philadelphia.
 Leuschner, E. P., Pottsville.
 Levi, Julius C., Philadelphia.
 Lewis, Francis D., Philadelphia.
 Lewis, George Calvert, Pittsburgh.
 Lewis, John F., Philadelphia.
 Lewis, W. Draper, Philadelphia.
 Lex, Charles E., Philadelphia.
 Lindsey, Edward, Warren.
 Linn, Andrew M., Washington.
 Linn, Philip B., Lewisburg.
 Linn, William B., Philadelphia.
 Lipschutz, Ephraim, Philadelphia.
 Little, Charles B., Scranton.
 Littleton, William G., Philadelphia.
 Liveright, Alfred M., Clearfield.
 Lloyd, Francis V., Philadelphia.
 Lloyd, Malcolm, Jr., Philadelphia.
 Loeb, Clarence, Philadelphia.
 Logue, J. Washington, Philadelphia.
 Longstreth, Mayne R., Philadelphia.
 Loos, Nevin J., Bethlehem.
 Loose, Jacob G., Mauch Chunk.
 Louchheim, Samuel K., Philadelphia.
 Loyd, William H., Philadelphia.
 Ludlow, Benjamin H., Philadelphia.
 Lukens, Wm. H. R., Philadelphia.
 Lyon, Walter, Pittsburgh.
 McAdams, Francis M., Philadelphia.
 McCall, Samuel K., York.
 McCarrell, S. J. M., Harrisburg.
 McCarthy, Henry A., Philadelphia.
 McCarty, C. A., Honesdale.
 McClay, Samuel, Pittsburgh.
 McClenachen, Wm. B., Jr., Chester.
 McClintock, Andrew H., Wilkes-Barre.
 McClosky, Thos. D., Pittsburgh.
 McClung, Wm. H., Pittsburgh.
 McClure, Harold M., Lewisburg.
 McCollin, Edward G., Philadelphia.
 McCormick, Samuel B., Pittsburgh.
 McCormick, Seth T., Williamsport.
 McCouch, H. Gordon, Philadelphia.
 McCreight, Smith M., Reynoldsville.
 McCullen, Joseph P., Philadelphia.
 McDewitt, John J., Jr., Philadelphia.
 McGeorge, Wm., Jr., Philadelphia.
 McGirr, Frank C., Pittsburgh.

PENNSYLVANIA.

- McGrath, John B., Houtzdale.
 McKeehan, Charles L., Philadelphia.
 McKeehan, Joseph P., Carlisle.
 McKenna, Edward J., Pittsburgh.
 McKillip, H. A., Bloomsburg.
 McManus, M. T., Philadelphia.
 McPherson, Donald P., Gettysburg.
 McPherson, John B., Philadelphia.
 Macrum, W., Pittsburgh.
 MacDade, Albert Dutton, Chester.
 MacFarland, Leo, Philadelphia.
 Magee, Forrest N., Philadelphia.
 Mandel, David, Jr., Philadelphia.
 Mann, Benson, Philadelphia.
 Martin, Gervaise G., Franklin.
 Martin, J. Willis, Philadelphia.
 Martin, M. J., Scranton.
 Marvin, Alfred, Matamoras.
 Mason, Wm. Clark, Philadelphia.
 May, Charles Reeves, Beaver Falls.
 Mayer, Clinton O., Philadelphia.
 Mead, Glenn C., Philadelphia.
 Meagher, Thomas James, Philadelphia.
 Measey, William Maul, Philadelphia.
 Mehard, Samuel S., Pittsburgh.
 Meigs, William M., Philadelphia.
 Melcher, Webster A., Philadelphia.
 Mellors, Joseph, Philadelphia.
 Mengel, Ralph H., Reading.
 Merchant, Edward, Philadelphia.
 Mercur, Rodney A., Towanda.
 Mervine, Nicholas P., Altoona.
 Mesirov, Harry S., Philadelphia.
 Mestrezat, S. Leslie, Uniontown.
 Meyer, Samuel T., Lebanon.
 Michener, Edwin O., Philadelphia.
 Mikell, William E., Philadelphia.
 Miller, E. Augustus, Philadelphia.
 Miller, E. Spencer, Philadelphia.
 Miller, J. Albert, Philadelphia.
 Miller, John D., Susquehanna.
 Miller, John Faber, Norristown.
 Mirkil, I. Hazleton, Philadelphia.
 Mofse, Albert L., Philadelphia.
 Monaghan, John, Philadelphia.
 Montgomery, W. W., Jr., Philadelphia.
 Montgomery, Wm. Morgan, Philadelphia.
 Moon, R. O., Philadelphia.
 Moore, Alfred, Philadelphia.
 Moore, Springer H., Philadelphia.
 Moorhead, Forest G., Beaver.
 Morgan, C. E., 3d, Philadelphia.
 Morgan, Charles E., Jr., Philadelphia.
 Morgan, Randal, Philadelphia.
 Morrell, Edward deV., Philadelphia.
 Morris, Edingham B., Philadelphia.
 Morris, Roland S., Philadelphia.
 Morris, W. Norman, Philadelphia.
 Morrison, William S., Beaver.
 Mowitz, Arno P., Philadelphia.
 Moyer, J. W., Pottsville.
 Mullin, J. E., Kane.
 Munson, C. LaRue, Williamsport.
 Murriu, James B., Carbondale.
 Nauman, John A., Lancaster.
 Nead, B. Frank, Harrisburg.
 Nead, Benjamin M., Harrisburg.
 Neff, George E., York.
 Neilson, William D., Philadelphia.
 Nevin, D. W., Easton.
 Newcomb, E. C., Scranton.
 Newlin, Wm. E., Pittsburgh.
 Nichols, H. S. Prentiss, Philadelphia.
 Niles, Henry C., York.
 Noble, Edward T., Pittsburgh.
 Norris, G. Heide, Philadelphia.
 North, H. M., Jr., Columbia.
 O'Connor, Francis J., Johnstown.
 Orlady, Frederick L., Huntingdon.
 Orlady, George B., Huntingdon.
 Orr, Charles P., Pittsburgh.
 Orvis, Ellis L., Bellefonte.
 Osburn, Frank C., Pittsburgh.
 Page, Edward Wurts, Philadelphia.
 Page, S. Davis, Philadelphia.
 Parry, Geo. Gowan, Philadelphia.
 Patterson, George G., Hollidaysburg.
 Patterson, George S., Philadelphia.
 Patterson, John M., Philadelphia.
 Patterson, Marion D., Hollidaysburg.
 Patterson, Roswell H., Scranton.
 Patterson, T. Elliott, Philadelphia.
 Patterson, Thomas, Pittsburgh.
 Patton, J. Lee, Philadelphia.
 Paul, J. Rodman, Philadelphia.
 Peace, William H., Philadelphia.
 Peirce, George, Philadelphia.
 Pennewill, Walton, Philadelphia.
 Pennypacker, Bevan Aubrey, Philadelphia.
 Pennypacker, Samuel W., Philadelphia.
 Pents, W. C., DuBois.
 Pepper, B. Franklin, Philadelphia.
 Pepper, George Wharton, Philadelphia.
 Pettit, W. C., Greenville.
 Phillips, David, Philadelphia.
 Playford, R. W., Uniontown.
 Porter, William D., Pittsburgh.
 Potter, William P., Philadelphia.
 Powell, Humbert B., Philadelphia.
 Price, Samuel B., Scranton.
 Price, William C., Wilkes-Barre.
 Prichard, Frank P., Philadelphia.
 Prince, Leon C., Carlisle.
 Pusey, Fred. Taylor, Philadelphia.

PENNSYLVANIA.

- Quigley, Henry C., Bellefonte.
 Kalston, Robert, Philadelphia.
 Rawie, Francis, Philadelphia.
 †Raymond, Eugene, Philadelphia.
 Reading, John G., Williamsport.
 Bearick, Bertram D., Philadelphia.
 Reber, J. Howard, Philadelphia.
 Reed, David Aiken, Pittsburgh.
 Reed, James H., Pittsburgh.
 Reed, John W., Brookville.
 Reese, Daniel E., Scranton.
 Reid, Ambrose B., Pittsburgh.
 Reilly, Paul, Philadelphia.
 Remak, Gustavus, Jr., Philadelphia.
 Rex, Walter E., Philadelphia.
 Reynolds, John, Philadelphia.
 Reynolds, John M., Bedford.
 Rhone, Mortimer C., Williamsport.
 Rice, Charles E., Wilkes-Barre.
 Rice, William E., Warren.
 Rich, George P., Philadelphia.
 Richardson, E. Stanley, Philadelphia.
 Ridgway, Thomas, Philadelphia.
 Rilling, John S., Erie.
 Ritter, A. Howard, Philadelphia.
 Roads, Geo. M., Pottsville.
 Roberts, C. Wilson, Philadelphia.
 Roberts, Geo. L., Pittsburgh.
 Roberts, Owen J., Philadelphia.
 Robinson, Harold L., Uniontown.
 Robinson, V. Gilpin, Philadelphia.
 Rodman, Walter C., Philadelphia.
 Rogers, James S., Philadelphia.
 Rosenberger, Emil, Philadelphia.
 Rothermel, P. F., Jr., Philadelphia.
 Rothechild, Jerome J., Philadelphia.
 Rourke, William J., Reading.
 Rowe, Leo Stanton, Philadelphia.
 Ruhl, Christian H., Reading.
 Runk, Louis Barcroft, Philadelphia.
 Rupley, Arthur R., Carlisle.
 Ruppel, Wm. H., Somerset.
 Russell, George S., Philadelphia.
 Ryan, Michael J., Philadelphia.
 Ryan, William C., Doylestown.
 Rymer, Ralph W., Scranton.
 Ryon, William W., Shamokin.
 Sando, M. F., Scranton.
 Saul, Maurice Bower, Philadelphia.
 Saul, Walter Biddle, Philadelphia.
 Sawdey, David A., Erie.
 Sayre, Chas. H., Philadelphia.
 Scandrett, Richard B., Pittsburgh.
 Schaadt, James L., Allentown.
 Schaffer, William L., Chester.
 Scott, John, Jr., Philadelphia.
 Scott, John R. K., Philadelphia.
 Scott, Samuel B., Philadelphia.
 Scoville, Samuel, Jr., Philadelphia.
 Scully, Cornelius D., Pittsburgh.
 Searle, Alonzo T., Honesdale.
 Seibert, William N., New Bloomfield.
 Sencff, E. H., Pittsburgh.
 Seymour, Edmund Bayly, Jr., Philadelphia.
 Shapira, Samuel S., Pittsburgh.
 Sharpe, Walter K., Chambersburg.
 Shattuck, Frank R., Philadelphia.
 Shaw, George E., Pittsburgh.
 Shawkey, Curtis M., Warren.
 Shea, Thomas D., Wilkes-Barre.
 †Sheriff, John C., Pittsburgh.
 Sherwood, Paul J., Wilkes-Barre.
 Shick, Robert P., Philadelphia.
 Shields, James M., Pittsburgh.
 Shindel, Jay M., Lebanon.
 Shiras, George, Jr., Pittsburgh.
 Shirk, Howard C., Lebanon.
 Shoemaker, Harry J., Doylestown.
 Shoemaker, William H., Philadelphia.
 Shomo, William A., Reading.
 Shoyer, Frederick J., Philadelphia.
 Shreve, Milton W., Erie.
 Shull, S. E., Stroudsburg.
 Simkins, Daniel W., Philadelphia.
 Simpson, Alexander, Jr., Philadelphia.
 Singer, Jacob, Philadelphia.
 Slack, John C., Pittsburgh.
 Slattery, Frank P., Wilkes-Barre.
 Slattery, Joseph A., Philadelphia.
 Sloan, Maurice Worrell, Philadelphia.
 Smead, Alexander D. B., Carlisle.
 Smith, A. B., Montrose.
 Smith, Alfred Percival, Philadelphia.
 Smith, Allison O., Clearfield.
 Smith, Edwin W., Pittsburgh.
 Smith, Eugene G., Lancaster.
 Smith, Thomas Kilby, Philadelphia.
 Smith, Walter George, Philadelphia.
 Smith, Wm. Rudolph, Philadelphia.
 Smith, William S., Meadville.
 Smithers, William W., Philadelphia.
 Smyth, David J., Philadelphia.
 Snare, Jacob, Philadelphia.
 Snyder, J. Frank, Clearfield.
 Snyder, John E., Hershey.
 Solly, William F., Norristown.
 Speer, Peter M., Oil City.
 Speiser, Maurice J., Philadelphia.
 Sprout, Clarence E., Williamsport.
 Spyker, Samuel L., Huntingdon.
 Staake, William H., Philadelphia.
 Staake, William W., Philadelphia.

PENNSYLVANIA.

- Stadtfeld, Joseph, Pittsburgh.
 Stambaugh, Harry F., Pittsburgh.
 Stamm, A. C., Harrisburg.
 Steele, Henry J., Easton.
 Steinfinger, Cloyd, Lewisburg.
 Stenger, William S., Philadelphia.
 Sterner, Clarence P., Philadelphia.
 Sterrett, James R., Pittsburgh.
 Stevens, Wm. K., Reading.
 Stewart, Daniel A., Philadelphia.
 Stewart, Russell C., Easton.
 Stewart, W. F. Bay, York.
 Stewart, William M., Jr., Philadelphia.
 Stockwell, Herbert G., Philadelphia.
 Stoeber, William C., Philadelphia.
 Stots, Robert A., Easton.
 Stoughton, A. B., Philadelphia.
 Stroh, Charles C., Harrisburg.
 Strong, Alan H., Philadelphia.
 Strong, John M., Philadelphia.
 Sturgis, W. J., Uniontown.
 Stutzbach, Martin H., Philadelphia.
 Sullivan, John F., Altoona.
 Sullivan, John J., Philadelphia.
 Sulsberger, Mayer, Philadelphia.
 Sutton, Robert Woods, Pittsburgh.
 Swartley, Francis K., Philadelphia.
 Swartz, Arthur L., Milton.
 Swearingen, J. M., Pittsburgh.
 Swoope, Roland D., Curwensville.
 Synnestvedt, Paul, Pittsburgh.
 Tait, Edwin E., Bradford.
 Taulane, Joseph H., Philadelphia.
 Taylor, Joseph T., Philadelphia.
 Teisen, Axel, Philadelphia.
 Thole, Francis H., Philadelphia.
 Thomas, John W., Pittsburgh.
 Thomas, Samuel Hinds, Philadelphia.
 Thompson, A. M., Pittsburgh.
 Thompson, Henry O., Jr., Philadelphia.
 Thompson, J. Whitaker, Philadelphia.
 Thorp, Charles M., Pittsburgh.
 Todd, M. Hampton, Philadelphia.
 Torrey, James H., Scranton.
 Torrey, William J., Scranton.
 Townsend, Joseph B., Philadelphia.
 Tracy, Henry M., Philadelphia.
 Trent, Edward K., Pittsburgh.
 Trickett, William, Carlisle.
 Turner, William Jay, Philadelphia.
 Tustin, Ernest L., Philadelphia.
 Ulrich, John O., Tamaqua.
 Umbel, Robert E., Uniontown.
 Vaill, Edward B., Pittsburgh.
 Vale, Ruby R., Philadelphia.
 Vanartadalen, Isaac J., Doylestown.
 Van Dusen, Geo. R., Philadelphia.
 Van Dusen, Lewis H., Philadelphia.
 Viti, Marcel A., Philadelphia.
 von Moschisler, Robert, Philadelphia.
 Wagner, J. Harry, Philadelphia.
 Walker, George B., Philadelphia.
 Walker, Winfield S., Philadelphia.
 Wallace, Wm. S., Philadelphia.
 Waller, Levi E., Wilkes-Barre.
 Wallerstein, David, Philadelphia.
 Walling, Emory A., Erie.
 Walter, D. S., Waynesburg.
 Walton, Henry F., Philadelphia.
 Warfel, Benjamin F., Hollidaysburg.
 Warren, Everett, Scranton.
 Watres, L. A., Scranton.
 Watson, David Thompson, Pittsburgh.
 Watson, W. W., Scranton.
 Watterson, A. V. D., Pittsburgh.
 Way, William A., Pittsburgh.
 Weaver, John, Philadelphia.
 Weidman, Grant, Lebanon.
 Well, A. Leo, Pittsburgh.
 Weill, A. S., Philadelphia.
 Weimer, Albert B., Philadelphia.
 Welch, Walter, Clearfield.
 Welles, Chas. H., Scranton.
 Wendt, John S., Pittsburgh.
 Wesley, Charles Sumner, Philadelphia.
 Wetherill, John Lawrence, Philadelphia.
 Wetzel, J. W., Carlisle.
 Whalen, John F., Pottsville.
 White, Harry, Indiana.
 White, Thomas Raeburn, Philadelphia.
 Whitehead, Harvey W., Williamsport.
 Whitlock, Henry C., Philadelphia.
 Whitmer, George F., Clarion.
 Whittelsey, Edward L., Erie.
 Wiler, Alfred Day, Philadelphia.
 Wilkinson, T. H., Waynesburg.
 Willard, Walter, Philadelphia.
 Williams, Ellis D., Philadelphia.
 Williams, Henry T., Philadelphia.
 Williams, Ira Jewell, Philadelphia.
 Williams, Irvin C., Harrisburg.
 Williams, J. Henry, Philadelphia.
 Williams, Smyser, York.
 Williams, Thomas S., Philadelphia.
 Wilson, J. Sharp, Beaver.
 Wilson, Joseph R., Philadelphia.
 Windle, William S., West Chester.
 Wintersteen, Abram H., Philadelphia.
 Wise, Jesse H., Pittsburgh.
 Wishart, Wm. W., Pittsburgh.
 Witmer, Charles B., Sunbury.
 Wolf, Morris, Philadelphia.
 Wood, R. Francis, Philadelphia.
 Woodruff, Clinton Rogers, Philadelphia.

PENNSYLVANIA-PHILIPPINE ISLANDS-PORTO RICO-RHODE ISLAND.

Woods, J. M., Lewistown.
 Woodward, J. B., Wilkes-Barre.
 Work, James O., Uniontown.
 Wright, George R., Wilkes-Barre.
 Yocum, George, Scranton.
 Young, Edwin P., Towanda.
 Young, Sydney, Philadelphia.
 Young, William P., Pottstown.
 Zimmerman, S. R., Lancaster.

PHILIPPINE ISLANDS.

Bruce, Edward B., Manila.
 Conant, Ernest B., Manila.
 Gilbert, Newton W., Manila.
 Martin, H. S., Manila.
 Welch, Thomas Cary, Manila.

PORTO RICO.

Antonsanti, Frank, San Juan.
 Davila, Felix Cordova, San Juan.
 Guillermet, Rafael, San Juan.
 Hamilton, Peter J., San Juan.
 Hernandez, José Conrado, San Juan.
 Morales, Luis Munoz, San Juan.
 Negroni, J. Salvador Amill, Abogado,
 Maricao.
 Rodriguez-Serra, Manuel, San Juan.
 Texidor, Jacinto, San Juan.
 Toro, Emilio del, San Juan.
 Ueara, José Hernandez, Humacao.
 Wolf, Adolph G., San Juan.

RHODE ISLAND.

Aldrich, Clarence A., Providence.
 Aldrich, Edward K., Jr., Providence.
 Allen, Arthur M., Providence.
 Angell, Walter F., Providence.
 Baker, Albert A., Providence.
 Baker, Darius, Newport.
 Ballou, Daniel B., Providence.
 Barney, Walter H., Providence.
 Barrows, Chester W., Providence.
 Began, John P., Providence.
 Bess, Henry M., Jr., Providence.
 Bosworth, Orrin L., Bristol.
 Bowen, Wm. M. P., Providence.
 Brown, Arthur L., Providence.
 Brown, George T., Providence.
 Brownell, Edward L., Providence.
 Burdick, Clark, Newport.
 †Burke, Edward M., Westerly.

Canning, John E., Providence.
 Case, Benjamin W., Wakefield.
 Chace, Elmer S., Providence.
 Churchill, Alex. L., Providence.
 Collins, James O., Providence.
 Colt, LeBaron B., Providence.
 Comstock, Richard B., Providence.
 Cosgrove, John J., Providence.
 Cram, Henry C., Providence.
 Curtis, Harry C., Providence.
 Edwards, Stephen O., Providence.
 Frost, G. Frederick, Providence.
 Gardner, Percy W., Providence.
 Gardner, Rathbone, Providence.
 Glendinning, Henry D., Providence.
 Green, Theodore F., Providence.
 Greene, George W., Woonsocket.
 Greenough, William B., Providence.
 Heffernan, John J., Woonsocket.
 Henshaw, John, Providence.
 Hinckley, Frank L., Providence.
 Huddy, George H., Jr., Providence.
 Jenckes, Thomas A., Providence.
 Lapham, Oscar, Providence.
 Lee, Thomas Zanslaar, Providence.
 Lewis, Nathan B., West Kingston.
 Littlefield, James B., Providence.
 Littlefield, Nathan W., Providence.
 Lyman, Richard E., Providence.
 McCaffrey, Joseph J., Providence.
 McDonnell, Thomas F. I., Providence.
 McKenna, George R., Westerly.
 Matteson, Archibald C., Providence.
 Matteson, Charles, Providence.
 Morgan, William A., Providence.
 Mumford, Charles C., Providence.
 Murdock, John S., Providence.
 O'Shaunessy, George F., Providence.
 Piroe, James Aldrich, Providence.
 Potter, Dexter B., Providence.
 Quinn, Patrick Henry, Providence.
 Rice, Herbert A., Providence.
 Sheffield, Wm. P., Newport.
 Stearns, Charles F., Providence.
 Stinson, Edward C., Providence.
 Sullivan, Edward M., Providence.
 Sweeney, John W., Providence.
 Thornley, William H., Providence.
 Thurston, Wilmarth H., Providence.
 Tiepke, Henry E., Providence.
 Tillinghast, Frank W., Providence.
 Tillinghast, William R., Providence.
 Van Slyck, Cyrus M., Providence.
 Waterman, Lewis Anthony, Providence.

† Elected by Executive Committee between Meetings.

RHODE ISLAND-SOUTH AMERICA-SOUTH CAROLINA.

Whipple, Clifford, Providence.
 Wilson, Alfred, Providence.
 Wilson, Charles A., Providence.
 Woods, John Carter Brown, Providence.

SOUTH AMERICA.

Hartman, Charles S., Quito, Ecuador.

SOUTH CAROLINA.

Ansel, M. F., Greenville.
 Aycock, W. T., Columbia.
 Barnwell, Nathaniel B., Charleston.
 Barron, Charles H., Columbia.
 Benet, Christie, Columbia.
 Best, C. A., Barnwell.
 Blakeney, E. D., Kershaw.
 Bomar, Horace L., Spartanburg.
 Bonham, Milledge L., Anderson.
 Brawley, Wm. H., Charleston.
 Brice, A. G., Chester.
 Brown, Ben Hill, Spartanburg.
 Bryan, J. P. K., Charleston.
 Buck, Henry, Marion.
 Bulst, H. F., Blackville.
 Bulst, Henry, Charleston.
 Carlisle, Howard B., Spartanburg.
 Carson, Ralph K., Spartanburg.
 Caston, R. T., Cheraw.
 Cherry, Wm. J., Rock Hill.
 Clark, Washington, Columbia.
 Cochran, Ernest F., Anderson.
 Commander, Charles E., Florence.
 Craig, E. L., Columbia.
 Cromer, George B., Newberry.
 Dagnall, A. H., Anderson.
 Dargan, W. F., Darlington.
 Davis, Henry E., Florence.
 de Loach, W. B., Camden.
 DeVore, J. W., Edgefield.
 Earle, Claude B., Anderson.
 Earle, Wilton H., Greenville.
 Eard, O. M., Lexington.
 Elliott, William, Columbia.
 Ellis, Richard A., Barnwell.
 Emanuel, P. A., Aiken.
 Erckmann, H. L., Charleston.
 Evans, John Gary, Spartanburg.
 Ficken, John F., Charleston.
 Fitz Simons, W. Huger, Charleston.
 Fraser, T. B., Sumter.
 Frierson, James Nelson, Columbia.
 Frost, Frank Ravenel, Charleston.
 Gage, Geo. Williams, Chester.

Gary, Eugene B., Abbeville.
 Gibbs, Hunter A., Columbia.
 Greene, William P., Abbeville.
 Grier, F. Barron, Greenwood.
 Gruber, W. B., Walterboro.
 Hagood, Benjamin, Charleston.
 Harley, J. Emile, Barnwell.
 Haynsworth, Henry J., Greenville.
 Henderson, D. S., Aiken.
 Herbert, R. Beverly, Columbia.
 Holman, E. C., Barnwell.
 Holman, W. A., Charleston.
 Hunt, I. H., Newberry.
 Hyde, Simeon, Charleston.
 Hydrick, D. E., Spartanburg.
 Jaynes, Robert T., Walhalla.
 Jones, Ira B., Lancaster.
 Lee, R. D., Sumter.
 Lide, L. D., Marion.
 Lyles, William H., Columbia.
 McColl, D. D., Jr., Bennettsville.
 McDonald, J. E., Winnsboro.
 McDow, Thomas F., Yorkville.
 McKay, Douglas, Columbia.
 Magill, George T., Greenwood.
 Manning, A. A., Spartanburg.
 Marion, J. H., Chester.
 Melton, W. D., Columbia.
 Miller, F. A., Hartsville.
 Mordecai, T. Moultrie, Charleston.
 Mower, George Sewall, Newberry.
 Muller, W. H., Dillon.
 Nelson, William S., Columbia.
 Nichols, George W., Spartanburg.
 Nicholson, B. E., Edgefield.
 Northrop, Claudian B. (Washington, D. C.), Charleston.
 Oliver, E. S., Florence.
 Otts, James C., Spartanburg.
 Ouzts, D. A. G., Greenwood.
 Quattlebaum, Julius W., Anderson.
 Ragsdale, J. Willard, Florence.
 Ramage, C. J., Saluda.
 Raysor, Thomas M., Orangeburg.
 Rice, Leon L., Anderson.
 Rutledge, B. H., Charleston.
 Sawyer, J. Ashby, Union.
 Scaife, Hazel L., Clinton.
 Scarborough, Robert B., Conway.
 Seibels, John T., Columbia.
 Simms, Charles Carroll, Barnwell.
 Sirmine, William G., Greenville.
 Smith, Henry A. Middleton, Charleston.
 Straus, I. C., Sumter.
 Summers, A. W., Orangeburg.
 Talbird, Thos., Beaufort.

: Elected by Association at Annual Meeting, 1915.

SOUTH CAROLINA—SOUTH DAKOTA—TENNESSEE.

Thomas, John P., Jr., Columbia.
 Tillman, H. C., Greenwood.
 Tompkins, F. G., Columbia.
 Townsend, W. H., Columbia.
 Walker, Legaré, Summerville.
 Watkins, Henry H., Anderson.
 Watts, R. C., Cheraw.
 Weston, Francis H., Columbia.
 Whaley, R. S., Charleston.
 Whitner, B. F., Rock Hill.
 Wilbur, Walter B., Charleston.
 Willcox, F. L., Florence.
 Willcox, P. Alston, Florence.
 Witthowsky, L. A., Camden.
 Woods, Charles Albert, Marion.

SOUTH DAKOTA.

Aikens, Frank R., Sioux Falls.
 Bailey, Charles O., Sioux Falls.
 Bates, Charles P., Sioux Falls.
 Bouck, Thomas L., Milbank.
 Boyce, J. W., Sioux Falls.
 Brown, Edwin L., Parker.
 Bruell, Wm. F., Redfield.
 Buell, Charles J., Rapid City.
 Carpenter, Clay, Mobridge.
 Cherry, U. S. G., Sioux Falls.
 Christopherson, Chas. A., Sioux Falls.
 Churchill, Irwin A., Huron.
 Crawford, Ose L., Huron.
 Danforth, George J., Sioux Falls.
 Davis, Charles A., Fairfax.
 Denu, Albert R., Rapid City.
 Elliott, James D., Sioux Falls.
 Gaffy, Loring E., Pierre.
 Gardner, A. K., Huron.
 Gates, John H., Pierre.
 Goldsmith, Karl, Pierre.
 Ham, F. J., Bowdle.
 Hanten, John B., Watertown.
 Hodgeon, J. M., Deadwood.
 Isenbuth, William, Redfield.
 Jackson, George H., Buffalo.
 Johnson, Royal C., Aberdeen.
 Judge, Harold E., Sioux Falls.
 Kaas, Otto L., Britton.
 Kellar, Chambers, Lead.
 Kennedy, O. B., Canton.
 Kirby, Joe, Sioux Falls.
 Lawson, James Marshall, Aberdeen.
 Lockhart, S. S., Milbank.
 Loucks, Percy F., Watertown.
 McCoy, J. H., Pierre.
 Mason, Norman T., Deadwood.
 Mather, James E., Watertown.

Morris, Charles J., Sioux Falls.
 Muller, Henry A., Sioux Falls.
 Parliman, Ralph W., Sioux Falls.
 Patterson, E. O., Dallas.
 Payne, Jason E., Vermillion.
 Polley, Samuel C., Pierre.
 Porter, William Gove, Aberdeen.
 Rice, William G., Deadwood.
 Sherwood, Carl G., Clark.
 Simons, Leonard M., Belle Fourche.
 Smith, Ellison G., Pierre.
 Stanley, James G., Lead.
 Stephens, Louis L., Pierre.
 Sterling, Thomas (Washington, D. C.),
 Vermillion.
 Taubman, Edward T., Aberdeen.
 Taylor, Alva E., Huron.
 Telgen, Tore, Sioux Falls.
 Tripp, Robert B., Yankton.
 Voorhees, John H., Sioux Falls.
 Waggoner, Alvin, Philip.
 Wagner, E. E., Sioux Falls.
 Whitchee, Lewis E., Highmore.
 Whiting, Charles S., Pierre.
 Williamson, George N., Aberdeen.
 Yager, Albert E., Lemmon.

TENNESSEE.

Akers, A. W., Nashville.
 Anderson, J. M., Nashville.
 Andrews, Garnett S., Nashville.
 Armstrong, Walter P., Memphis.
 Bachman, E. K., Bristol.
 †Bachman, Nathan L., Chattanooga.
 Baker, Lewis M. G., Knoxville.
 Barthell, Edward E., Nashville.
 Barton, R. M., Jr., Memphis.
 Bass, Frank M., Nashville.
 Baxter, E. J., Jonesboro.
 Baxter, Schloss D., Nashville.
 Bearden, Walter S., Shelbyville.
 Beattie, Robert M., Memphis.
 Bond, Chester G., Jackson.
 Bowen, A. T., Knoxville.
 Boyd, Clarence T., Nashville.
 Boyd, H. R., Memphis.
 Breazeale, Samuel A., Harriman.
 Brock, Lee, Nashville.
 †Brown, Joseph, Chattanooga.
 Bryan, Charles M., Memphis.
 Bryan, Claiborne N., Nashville.
 Bryan, M. T., Nashville.
 Buchanan, A. S., Memphis.
 Buntin, W. Allison, Nashville.
 Burch, Charles N., Memphis.

† Elected by Executive Committee between Meetings.

TENNESSEE.

Cain, Stith M., Nashville.
 Caldwell, Waller C., Tranton.
 Cameron, Robert Thomas, Chattanooga.
 Campbell, Lemuel R., Nashville.
 Canada, J. W., Memphis.
 Cantrell, John H., Chattanooga.
 †Carden, Frank S., Chattanooga.
 Carter, Hugh E., Bolivar.
 Cassell, R. B., Harriman.
 Cates, Charles T., Jr., Knoxville.
 Cavett, William G., Memphis.
 Chambliss, Alexander W., Chattanooga.
 Chambliss, John A., Chattanooga.
 Coffey, Charles S., Chattanooga.
 Coleman, Lewis Minor, Chattanooga.
 Cooke, Robert E., Chattanooga.
 Cooper, Robin J., Nashville.
 Crockett, R. H., Franklin.
 Crouch, Larkin E., Nashville.
 Davis, Ewin L., Tullahoma.
 DeWitt, John H., Nashville.
 Donaldson, William Jay, Knoxville.
 Douglas, Lee, Nashville.
 Edgington, T. B., Memphis.
 Elgin, Frank S., Memphis.
 Evans, Charles R., Chattanooga.
 Fant, Rice T., Memphis.
 Fitzhugh, G. T., Memphis.
 Fletcher, John Storrs, Chattanooga.
 Fort, Dancy, Clarksville.
 Fowler, James A., Knoxville.
 Frantz, John Henry, Knoxville.
 Frierson, Horace, Jr., Columbia.
 Gaines, Albert W., Chattanooga.
 Gates, Elias, Memphis.
 Granberry, William L., Nashville.
 Grayson, D. L., Chattanooga.
 Green, Grafton, Nashville.
 Green, John W., Knoxville.
 Hall, William M., Memphis.
 Handly, Avery, Nashville.
 Harris, D. O., Harriman.
 Harsh, George, Memphis.
 †Higgins, Joseph C., Fayetteville.
 Holding, Sam, Columbia.
 Howell, R. Boyle C., Nashville.
 Hughes, Allen, Memphis.
 Hughes, George T., Columbia.
 Jackson, Robt. F., Nashville.
 Johnson, James G., Knoxville.
 Jones, Clem J., Athens.
 Jones, Robert M., Knoxville.
 Keeble, John B., Nashville.
 Kennerly, W. T., Knoxville.
 Knight, E. C., Livingston.
 Lancaster, George D., Chattanooga.

Lansden, D. L., Cookeville.
 Lea, Luke (Washington, D. C.), Nashville.
 Levine, Alfred T., Nashville.
 Lillard, J. W., Decatur.
 Littleton, Jesse M., Chattanooga.
 Lucky, Cornelius E., Knoxville.
 †Lynch, Felix D., Chattanooga.
 McAlister, W. K., Nashville.
 McCall, John E., Memphis.
 McTeer, Will A., Maryville.
 Maddin, Percy D., Nashville.
 Malone, Thomas H., Jr., Nashville.
 Mander, Will R., Jr., Nashville.
 Martin, Francis, Chattanooga.
 Martin, John D., Memphis.
 Mayfield, J. E., Cleveland.
 Maynard, James, Jr., Knoxville.
 Metcalf, Charles W., Memphis.
 Metcalf, William P., Memphis.
 Miles, Lovick P., Memphis.
 Miller, Charles A., Bolivar.
 Miller, W. B., Chattanooga.
 Minor, H. Dent, Memphis.
 Moore, Felix W., Union City.
 Neil, M. M., Trenton.
 Newman, Claire B., Jackson.
 O'Connor, Myles Powers, Nashville.
 Osborne, A. L., Bristol.
 Owens, William A., La Follette.
 Phelan, Patrick Henry, Jr., Memphis.
 †Pickle, George W., Knoxville.
 Pilcher, James Stuart, Nashville.
 Pitta, John A., Nashville.
 Powell, J. Normant, Johnson City.
 Randolph, William M., Memphis.
 Rhodes, James P., Milan.
 Richardson, James D., Murfreesboro.
 St. John, Charles J., Bristol.
 Sanford, Edward T., Knoxville.
 Seay, Edward T., Nashville.
 Shelton, H. H., Bristol.
 Sivley, Clarence L., Memphis.
 Small, R. M., Nashville.
 Smith, Charles H., Knoxville.
 Smith, Edward J., Nashville.
 Smith, Gilmer P., Memphis.
 Smith, Henry E., Nashville.
 Smith, L. D., Knoxville.
 Smith, Robert T., Nashville.
 Smith, Samuel Bosworth, Chattanooga.
 Smith, Wm. T., Sparta.
 Smithson, Noble, Knoxville.
 Spears, W. D., Chattanooga.
 Steen, J. M., Memphis.
 Steger, Thomas Maddin, Nashville.
 Steger, William E., Nashville.

† Elected by Executive Committee between Meetings.

TENNESSEE-TEXAS.

Stewart, T. Lawrence, Winchester.
 Stokes, Jordon, Nashville.
 Stokes, Jordan, Jr., Nashville.
 Strang, S. Bartow, Chattanooga.
 Stuart, D. Sullins, Athens.
 Swaney, W. B., Chattanooga.
 Tate, Hugh M., Knoxville.
 Thomas, W. G. M., Chattanooga.
 Thompson, J. A., Rogersville.
 Tillman, A. M., Nashville.
 Timberlake, W. G., Jackson.
 Trabue, Charles C., Nashville.
 Trimble, James M., Chattanooga.
 Turner, W. R., Knoxville.
 Turney, John E., Nashville.
 Tyne, Thomas J., Nashville.
 Van Deventer, Horace, Knoxville.
 Vaughn, Robert, Nashville.
 Vertrees, John J., Nashville.
 Voigt, J. Read, Chattanooga.
 Waller, Claude, Nashville.
 Wilkin, D. F., Nashville.
 Williams, Joe V., Chattanooga.
 Williams, Samuel C., Johnson City.
 Wilson, Julian C., Memphis.
 Wilson, S. F., Nashville.
 Wright, James B., Knoxville.
 Wright, T. A., Knoxville.
 Wright, William D., Knoxville.
 Young, J. P., Memphis.

TEXAS.

Adameon, L. A., Houston.
 Alexander, D. M., Fort Worth.
 Allen, W. P., Austin.
 Anderson, George D., Beaumont.
 Andrews, Frank, Houston.
 Armstrong, Wm. T., Galveston (Boston, Mass.).
 Atwell, William H., Dallas.
 Autry, James L., Houston.
 Ayars, Lee C., Houston.
 Bailey, Joseph W., Gainesville, (Washington, D. C.).
 Baker, James A., Houston.
 Baker, Rhodes S., Dallas.
 Baten, Thomas J., Beaumont.
 Batta, Robert L., Austin.
 Beach, Myron H., San Antonio.
 †Bell, C. L., Karnes City.
 Bishop, Henry S., Amarillo.
 †Blaydes, R. D., Fort Stockton.
 †Bonner, Wm. Neely, Wichita Falls.
 Bowers, Richard S., Caldwell.
 Bowers, Wm. O., Giddings.
 Bramlett, Walter Sherwood, Dallas.

Bramlette, E. M., Longview.
 Britain, A. H., Wichita Falls.
 Bromberg, Henri Louis, Dallas.
 Brown, Volney M., El Paso.
 †Brundidge, O. D., Dallas.
 Bryan, Lewis R., Houston.
 Bullington, Orville, Wichita Falls.
 Burford, Albert Lee, Texarkana.
 Burford, J. M., Mt. Pleasant.
 Burges, William H., El Paso.
 †Burgess, J. L., Dallas.
 Butler, Charles T., Beaumont.
 Carpenter, Harry Lee, Greenville.
 Carter, H. C., San Antonio.
 Chambers, C. M., San Antonio.
 Chambers, E. S., Clarksville.
 Chilton, George, Beaumont.
 Coke, Alex. S., Dallas.
 Coke, Henry C., Dallas.
 Conley, John M., Beaumont.
 Cox, M. G., Cameron.
 Cox, T. M., Beeville.
 Crane, M. M., Dallas.
 Crane, R. C., Sweetwater.
 Crawford, Walter J., Beaumont.
 Crook, W. M., Beaumont.
 Dammannbaum, Henry J., Houston.
 Dashiell, A. H., Terrell.
 Davis, John, Dallas.
 Dedmon, Perry G., Fort Worth.
 Dibrell, J. B., Seguin.
 Dillard, F. C., Sherman.
 Dinsmore, James H., Greenville.
 Doom, D. H., Austin.
 Dougherty, J. C., Beeville.
 Dougherty, J. R., Beeville.
 Dreeben, Israel, Dallas.
 Duncan, John M., San Antonio.
 Dyer, John L., El Paso.
 Edwards, Peyton F., El Paso.
 Estes, W. L., Texarkana.
 Etheridge, Francis Marion, Dallas.
 Ewing, Presley K., Houston.
 Fiset, Franz, Austin.
 Francis, W. H., Fort Worth.
 Franklin, Thomas H., San Antonio.
 Garrett, H. S., San Angelo.
 Germany, J. A., Dallas.
 Glass, Hiram, Austin.
 Gordon, W. D., Beaumont.
 Greenwood, Albert G., Palestine.
 Greer, D. Edward, Beaumont.
 Greer, George C., Dallas.
 Gregory, Thomas W. (Washington, D. C.), Austin.
 Haltom, Chas. T., Fort Stockton.

TEXAS.

- Hamilton, A. C., Laredo.
 †Hamilton, Dexter, Corsicana.
 Hawkins, William E., Austin.
 Hicks, Yale, San Antonio.
 Hill, J. P., San Angelo.
 Hill, James E., Livingston.
 Holbrook, T. J., Galveston.
 Holden, Henry M., Corpus Christi.
 Holliday, Robert L., El Paso.
 Huggins, W. O., Houston.
 Hume, F. Charles, Jr., Houston.
 Hunt, G. D., Dallas.
 Hunt, W. S., Houston.
 Huntress, Geo. W., San Antonio.
 Ingrum, R. P., San Antonio.
 †Johnson, H. E., Dallas.
 Johnson, W. J., Houston.
 Jones, Frank Cameron, Houston.
 Jones, S. P., Marshall.
 Jordan, Harry P., Waco.
 Keller, C. A., San Antonio.
 Lane, Jonathan, Houston.
 Lawther, Harry P., Dallas.
 Lipscomb, A. D., Beaumont.
 Locke, Eugene P., Dallas.
 Locke, Maurice E., Dallas.
 Lockhart, William B., Galveston.
 Logue, John Gibson, Houston.
 Lord, C. A., Beaumont.
 Love, Thomas B., Dallas.
 McClendon, James W., Austin.
 McCormick, Joseph Manson, Dallas.
 McDonald, D. D., Galveston.
 McEachin, James S., Richmond.
 McKnight, A. H., Dallas.
 McLaurin, Lauch, Austin.
 McLean, J. H., Llano.
 Mahaffey, J. Q., Texarkana.
 Maxey, Thomas S., Austin.
 Meek, Edward R., Dallas.
 Mendell, George W., Jr., Austin.
 Minor, Farrell D., Beaumont.
 †Minton, R. E., Groveton.
 Morris, Ned B., Palestine.
 Munson, J. W., Angleton.
 Newman, F. M., Brady.
 Nunn, D. A., Crockett.
 Orgain, W. E., Beaumont.
 Patton, James C., Dallas.
 Peareson, D. R., Richmond.
 Peeler, J. L., Austin.
 Phillips, Nelson, Austin.
 Polk, L. J., Jr., Brownsville.
 Pollard, Claude, Kingsville.
 Potts, C. S., Austin.
 Prendergast, A. C., Austin.
 Proctor, Frederick C., Beaumont.
 Quaid, John E., El Paso.
 Read, Cloyd H., Dallas.
 Rector, N. A., Austin.
 †Rice, Benjamin H., Austin.
 Robertson, James M., Meridian.
 Robertson, William F., Dallas.
 Rodgers, Rollin W., Texarkana.
 Rogers, Robert H., Waco.
 Routledge, James, San Antonio.
 Russell, Gordon, Sherman.
 Samuels, Sidney L., Fort Worth.
 Sanders, J. M., Center.
 Saner, John C., Dallas.
 Saner, Robert E. Lee, Dallas.
 Sanford, Allan D., Waco.
 Scott, Frank E., Sulphur Springs.
 Seabury, F. W., Brownville.
 Searcy, William W., Brenham.
 Shepherd, James L., Colorado.
 Smith, Cecil H., Sherman.
 †Smith, Lamar, Del Rio.
 Smith, Solon W., Fort Worth.
 Smithdeal, C. M., Dallas.
 Sonfield, Leon, Houston.
 Stayton, Robert W., Corpus Christi.
 Stewart, Maco, Galveston.
 Storey, James L., Houston.
 Strange, W. T., Dallas.
 Street, Robert G., Galveston.
 Stubbs, Chas. J., Galveston.
 Stubbs, James B., Galveston.
 Sullivan, J. C., San Antonio.
 Synnott, J. H., Dallas.
 Taliaferro, Sinclair, Houston.
 Tarlton, B. D., Austin.
 Taub, Otto, Houston.
 Teagarden, Bruce W., San Antonio.
 Terry, J. W., Galveston.
 Todd, Chas. S., Texarkana.
 Todd, Oliver J., Beaumont.
 Townes, E. E., Beaumont.
 Townes, E. W., Houston.
 Townes, John C., Austin.
 Turney, W. W., El Paso.
 Vinson, William A., Houston.
 Walthall, James D., San Antonio.
 Webb, J. R., Waco.
 Williams, F. A., Galveston.
 Williamson, James D., Waco.
 Wilson, George T., Sweetwater.
 Wilson, Herbert R., Denton.
 Wolters, Jacob F., Houston.
 Woods, J. H., Corsicana.
 Wright, George S., Dallas.
 Zimmerman, Dennis, Tulla.

† Elected by Executive Committee between Meetings.

UTAH.

UTAH.

† Alexander, Daniel, Salt Lake City.
 Allison, Edward M., Jr., Salt Lake City.
 Ashton, Elias Conway, Salt Lake City.
 Badger, Carl A., Salt Lake City.
 † Bagley, E. M., Jr., Salt Lake City.
 Bagley, Grant C., Provo.
 † Bailey, Stephen A., Salt Lake City.
 Baker, Louis L., Tooele City.
 Baldwin, Charles, Salt Lake City.
 Barnes, Albert R., Salt Lake City.
 Barrette, William J., Salt Lake City.
 † Bartch, G. W., Salt Lake City.
 † Booth, Hiram E., Salt Lake City.
 † Boyd, Cornelius A., Ogden.
 † Bradley, Wm. M., Salt Lake City.
 Brayton, Dean F., Salt Lake City.
 † Brown, J. Louis, Murray.
 † Call, Justin D., Brigham.
 † Christy, John W., Salt Lake City.
 Critchlow, Edward B., Salt Lake City.
 Crow, Benjamin S., Salt Lake City.
 † Davis, John C., Ogden.
 † DeVine, J. H., Ogden.
 Dickson, Wm. H., Salt Lake City.
 † Eccles, Royal, Ogden.
 † Evans, Joseph E., Ogden.
 † Farnsworth, P. T., Jr., Salt Lake City.
 † Folland, Wm. H., Salt Lake City.
 † Gideon, Valentine, Ogden.
 Gibson, George J., Salt Lake City.
 Gillette, Charles A., Salt Lake City.
 † Gregory, Walter H., Salt Lake City.
 Gustin, Frank J., Salt Lake City.
 Haas, Joseph R., Salt Lake City.
 † Halverson, George, Salt Lake City.
 Henderson, Hiram Hunt, Ogden.
 Hollingsworth, Charles R., Ogden.
 † Hoppaugh, A. L., Salt Lake City.
 Howell, Benjamin Rogers, Salt Lake City.
 Howell, James A., Ogden.
 † Hutchinson, W. R., Salt Lake City.
 Jenson, David, Ogden.
 † Johnson, J. E., Park City.
 † Kimball, Douglass B., Salt Lake City.
 † Leary, William H., Salt Lake City.
 † Lee, Eddy O., Salt Lake City.
 † Loofbourn, Frederick C., Salt Lake City.
 Lyle, John V., Salt Lake City.
 McBroom, Ralph A., Salt Lake City.
 McCrea, Wm. M., Salt Lake City.
 MacLane, John F., Salt Lake City.
 † MacMillan, Herbert R., Salt Lake City.
 † Maginnis, S. A., Salt Lake City.

† Marks, William Sherman, Tooele City.
 Marshall, John A., Salt Lake City.
 † Mitchell, Thomas L., Salt Lake City.
 Moffat, David W., Murray City.
 † Moore, Henry I., Salt Lake City.
 † Moreton, Arthur E., Salt Lake City.
 Nebeker, Franklin K., Salt Lake City.
 † Nibley, Joel, Salt Lake City.
 O'Donnell, Thomas W., Vernal.
 Olson, Culbert L., Salt Lake City.
 † Parsons, O. C., Jr., Salt Lake City.
 † Parsons, Charles C., Salt Lake City.
 † Pratt, Arthur E., Ogden.
 † Ray, William W., Salt Lake City.
 † Rich, Benjamin L., Salt Lake City.
 † Richards, Franklin S., Salt Lake City.
 † Richards, Stephen L., Salt Lake City.
 † Riter, W. D., Salt Lake City.
 † Rogers, E. A., Salt Lake City.
 Rolapp, Henry H., Ogden.
 † Russell, Samuel, Salt Lake City.
 † Sanford, Allen T., Salt Lake City.
 † Sawyer, Abial B., Jr., Salt Lake City.
 Schulder, Russell G., Salt Lake City.
 Senior, Edwin W., Salt Lake City.
 † Skeen, David Alfred, Salt Lake City.
 Skeen, Jedediah D., Salt Lake City.
 † Skeen, William Riley, Ogden City.
 Smith, Benner X., Salt Lake City.
 Smith, George H., Salt Lake City.
 † Snyder, Bismarck, Salt Lake City.
 Snyder, Wilson I., Salt Lake City.
 † Soule, O. P., Salt Lake City.
 Stephens, Frank B., Salt Lake City.
 Stewart, Barnard J., Salt Lake City.
 † Stewart, Charles B., Salt Lake City.
 † Stewart, Samuel W., Salt Lake City.
 Story, William, Salt Lake City.
 Story, William, Jr., Salt Lake City.
 † Stott, B. N. C., Salt Lake City.
 † Sutherland, George, Salt Lake City.
 † Thomas, D. H., Salt Lake City.
 Thompson, John Walcott, Salt Lake City.
 † Thurman, Samuel R., Salt Lake City.
 Van Cott, Ray, Salt Lake City.
 Van Cott, Waldemar, Salt Lake City.
 Varian, Charles S., Salt Lake City.
 † Warner, Mahlon M., Salt Lake City.
 Whitecotton, J. W. N., Provo.
 † Wight, Lee B., Salt Lake City.
 Willey, Israel E., Salt Lake City.
 Williams, P. L., Salt Lake City.
 Wilson, Mahlon E., Salt Lake City.
 † Wolfe, James H., Salt Lake City.
 † Wood, J. Clarence, Salt Lake City.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

VERMONT-VIRGINIA.

VERMONT.

Alfred, Frank Edward, Newport.
 Amey, Harry B., Island Pond.
 Austin, Chauncey G., St. Albans.
 Austin, Warren R., St. Albans.
 Bailey, Guy W., Essex Junction.
 Batchelder, James K., Bennington.
 Batchelder, Wallace, Bethel.
 Blanchard, Herbert H., Springfield.
 Brown, Rufus E., Burlington.
 Butler, Frederick M., Rutland.
 Butties, John S., Brandon.
 Button, Charles I., Middlebury.
 Cooledge, A. G., Rutland.
 Deavitt, Edward H., Montpelier.
 Deavitt, Thomas J., Montpelier.
 Donoway, James B., Middlebury.
 Dunnett, Alexander, St. Johnsbury.
 Dutton, Walter A., Hardwick.
 Enright, John J., Burlington.
 Fish, Frank L., Vergennes.
 Fitts, Clarke C., Brattleboro.
 Furman, Daniel G., Swanton.
 George, Alvah H., St. Albans.
 Graton, Claude D., Burlington.
 Grout, Aaron H., Newport.
 Haselton, Seneca, Burlington.
 Healy, Robert E., Bennington.
 Hogan, George M., St. Albans.
 Hopkins, Theodore F., Burlington.
 Howland, Fred A., Montpelier.
 Jackson, S. Hollister, Barre.
 Johnson, Elmer, St. Albans.
 Kelton, Otis N., St. Albans.
 Ladd, Gaylord F., Richford.
 Lawrence, Edwin W., Rutland.
 Meldon, Patrick M., Rutland.
 Miles, Willard W., Barton.
 Moloney, Thomas W., Rutland.
 Moulton, Sherman R., Burlington.
 Mower, Edmund C., Burlington.
 Peck, Hamilton S., Burlington.
 Post, Nathan N., St. Albans.
 Powell, Max L., Burlington.
 Powers, George M., Morrisville.
 Prouty, Charles A. (Washington, D. C.),
 Newport.
 Redmond, John W., Newport.
 Robb, Charles H. (Washington, D. C.),
 Bellows Falls.
 Roberts, Robert, Burlington.
 Rogers, Frank S., North Troy.
 Sargent, John G., Ludlow.
 Searles, J. Rolf, St. Johnsbury.
 Shaw, Henry Bigelow, Burlington.
 Slack, Leighton P., St. Johnsbury.
 Smith, Edward C., St. Albans.
 Stearns, Joseph T., Burlington.

Stevens, Roland E., White River Junction.
 Stickney, Wm. B. C., Rutland.
 Swift, Charles M., Middlebury.
 Taft, Elihu B., Burlington.
 Thompson, Frank D., Barton.
 Tillotson, Lee S., St. Albans.
 Watson, John H., Montpelier.
 Webber, Marvelle C., Rutland.
 Young, George B., Newport.
 Young, John, Newport.

VIRGINIA.

Adams, Richard H. T., Jr., Lynchburg.
 Anderson, Henry W., Richmond.
 Baecher, John A., Norfolk.
 Baker, Richard H., Norfolk.
 Barbour, John S., Fairfax.
 Barley, Louis C., Alexandria.
 Blackford, R. C., Lynchburg.
 Bland, S. O., Newport News.
 Bloomberg, Harold S., Richmond.
 Boothe, Gardner L., Alexandria.
 Boulware, A. L., Richmond.
 Brooke, H. Laurence, Norfolk.
 Bryan, George, Richmond.
 Bryan, Thomas Pinckney, Richmond.
 Buford, Algernon S., Jr., Richmond.
 Buford, E. P., Lawrenceville.
 Bullitt, Joshua F., Big Stone Gap.
 Byrd, Richard Evelyn, Richmond.
 Cabell, Geo. C., Norfolk.
 Cabell, P. H. C., Richmond.
 Cary, Hunsdon, Richmond.
 Cary, Lucius F., Richmond.
 Caton, James E., Alexandria.
 Chichester, Cassius M., Richmond.
 Christian, Frank P., Lynchburg.
 Cocke, Lucian H., Roanoke.
 Coleman, J. T., Lynchburg.
 Collins, Cadwallader J., Norfolk.
 Corbitt, James H., Suffolk.
 Cox, William Ruffin, Richmond.
 Crocker, Frank L., Portsmouth.
 Crowder, R. W., Covington.
 Crump, Beverly T., Richmond.
 Davis, Charles Hall, Petersburg.
 Davis, Hugh W., Norfolk.
 Drysdale, Duncan, Lynchburg.
 Dudley, Sidney J., Hampton.
 Echols, Edward, Staunton.
 Echols, John Warnock, Vienna.
 Edmunds, James E., Lynchburg.
 Ely, M. G., Jonesville.
 Epes, Allen, Blackstone.
 Fletcher, James H., Jr., Accomac.
 Fletcher, Wm. Meade, Sperryville.
 Flood, H. D., Appomattox.
 Fulton, Minitree Jones, Richmond.

VIRGINIA.

Gaines, Greenville, Warrenton.
 Garnett, Theodore S., Norfolk.
 Gayle, John B., Richmond.
 Goodman, Leon, Lynchburg.
 Gordon, Armistead C., Staunton.
 Green, Nathaniel T., Norfolk.
 Gregory, Roger, Lester Manor.
 Griffin, S., Bedford City.
 Grinnan, Daniel, Richmond.
 Guilgon, A. B., Richmond.
 Gunn, Julien, Richmond.
 Gunter, B. T., Accomac.
 Halsey, Don P., Lynchburg.
 Hamilton, Alexander, Petersburg.
 Harnsberger, George S., Harrisonburg.
 Harper, Fred, Lynchburg.
 Harris, John T., Harrisonburg.
 Harrison, Randolph, Lynchburg.
 Heath, James Elliott, Norfolk.
 Henry, Randolph, Roanoke.
 Hicks, R. Randolph, Norfolk.
 Holland, Edw. Everett, Suffolk.
 Howard, Volney E., Lynchburg.
 Hughes, Robert M., Norfolk.
 Hull, D. D., Jr., Roanoke.
 Hunton, Eppa, Jr., Richmond.
 Irvine, R. T., Big Stone Gap.
 Jeffries, John L., Norfolk.
 Kegley, W. B., Wytheville.
 Keith, Thomas E., Fairfax.
 Kelly, Joseph L., Bristol.
 Lamb, Brockenbrough, Richmond.
 Lamb, John A., Richmond.
 Leake, J. Jordan, Richmond.
 Leake, Walter, Richmond.
 Levy, Moe, Norfolk.
 Lile, William Minor, Charlottesville.
 Long, Armistead R., Lynchburg.
 Loyall, W. H. T., Norfolk.
 McAllister, William M., Warm Springs.
 McCormick, Marshall, Roanoke.
 McGuire, Murray M., Richmond.
 McHugh, Charles A., Roanoke.
 McIlwaine, William B., Petersburg.
 McIntyre, Robert A., Warrenton.
 Macgill, Charles P., Pulaski.
 Machen, Lewis H., Richmond.
 Mann, James, Norfolk.
 Mann, Richard H., Petersburg.
 Manson, N. O., Jr., Lynchburg.
 Massie, Eugene C., Richmond.
 Massie, Joseph A., Newport News.
 Mears, Otho F., Eastville.
 Meredith, Charles V., Richmond.
 Minor, Raleigh C., University.
 Mitchell, J. L., Norfolk.
 Moore, Frank, Lexington.
 Moore, R. Walton, Fairfax.

Morris, Arthur J., Norfolk.
 Murrell, William M., Lynchburg.
 Myers, R. Baldwin, Norfolk.
 Nichols, Edward, Leesburg.
 Norton, J. K. M., Alexandria.
 Old, William W., Jr., Norfolk.
 Page, Rosewell, Richmond.
 Parriah, Robert L., Covington.
 Patterson, A. W., Richmond.
 Patteson, S. S. P., Richmond.
 Penn, G. E., Jr., Abingdon.
 Pickrell, John, Richmond.
 Plunkett, Moss A., Roanoke.
 Pollard, Henry R., Richmond.
 Powell, Stewart K., Onancock.
 Prentiss, Robert R., Suffolk.
 Pugh, Arthur B. (Washington, D. C.),
 Salem.
 Rawley, James Kent, Richmond.
 Revercomb, Geo. A., Covington.
 Riely, Henry C., Richmond.
 Robertson, Thomas B., Eastville.
 Robinson, Morgan P., Richmond.
 Rodman, William Blount, Norfolk.
 Roop, Redmond I., Christiansburg.
 Rumble, H. H., Norfolk.
 Rutherford, John, Richmond.
 Sands, William H., Richmond.
 Seaton, Emmett, Richmond.
 Shannonhouse, William T., Norfolk.
 Shelton, Thomas Wall, Norfolk.
 Sims, Frederick Wilmer, Louisa.
 Smith, R. S. B., Berryville.
 Smith, Willis B., Richmond.
 Strobe, Aubrey E., Lynchburg.
 Talley, R. H., Richmond.
 Taylor, Tazewell, Norfolk.
 Tennant, W. Brydon, Richmond.
 Thomason, Edwin Browne, Richmond.
 Tucker, Henry St. George, Lexington.
 Tunstall, Robert B., Norfolk.
 Turlington, St. James, Accomac.
 Turnbull, N., Lawrenceville.
 Turnbull, N. S., Jr., Victoria.
 Turnbull, R., Lawrenceville.
 Tyler, S. Heth, Norfolk.
 Vandeverter, Braden, Norfolk.
 Vicars, O. M., Wise.
 Wallace, A. W., Fredericksburg.
 Watts, Legh R., Portsmouth.
 Wellford, Beverly R., Richmond.
 Westcott, N. B., Mappaburg.
 Weymouth, John, Hampton.
 White, David M., Richmond.
 White, William H., Richmond.
 White, William Henry, Jr., Norfolk.
 Whitley, Geo. F., Smithfield.
 Whittle, Stafford G., Martinsville.

VIRGINIA—WASHINGTON.

Willcox, Thomas H., Norfolk.
 Williams, E. Randolph, Richmond.
 Williams, Wm. Leigh, Norfolk.
 Williamson, D. A., Covington.
 Wingfield, Gustavus A., Norfolk.
 Woods, Samuel B., Jr., Petersburg.

WASHINGTON.

Albert, Charles S., Spokane.
 Albertson, Robert Brooke, Seattle.
 Allison, William B., Seattle.
 Ashton, James M., Tacoma.
 Avery, A. G., Spokane.
 Back, R. H., Vancouver.
 Balliet, Andrew J., Seattle.
 Ballinger, Harry, Seattle.
 Ballinger, Richard A., Seattle.
 Barney, C. R., Seattle.
 Bates, Charles O., Tacoma.
 Battle, Alfred, Seattle.
 Bausman, Frederick, Seattle.
 Belden, E. H., Spokane.
 Blaine, Elbert F., Seattle.
 Bogle, W. H., Seattle.
 Bridges, J. B., Aberdeen.
 Bronson, Ira, Seattle.
 Brooks, J. W., Walla Walla.
 Brown, Frederick V., Seattle.
 †Burcham, J. T., Spokane.
 Burke, Thomas, Seattle.
 Byers, Alpheus, Seattle.
 Byers, Ovid A., Seattle.
 Callahan, James P. H., Hoquiam.
 Cannon, E. J., Spokane.
 †Cockerill, O. P., Seattle.
 †Colburn, A. O., Spokane.
 Coleman, J. A., Everett.
 Crow, Herman D., Olympia.
 Cullen, W. E., Spokane.
 Cushman, Edward E., Tacoma.
 Danson, R. J., Spokane.
 Dawson, Wm. Sherman, Spokane.
 DeBruler, Ellis, Seattle.
 Delle, Lee C., North Yakima.
 Denning, J. Henry, Seattle.
 DeRoy, Irvin E., Seattle.
 De Steiguer, George E., Seattle.
 Dewart, Frederick W., Spokane.
 Donworth, George, Seattle.
 Doveil, W. T., Seattle.
 Dudley, Frederick M., Seattle.
 Edge, Lester P., Spokane.
 Edwards, Marion, Seattle.
 Ellis, Overton G., Olympia.
 Englehart, Ira P., North Yakima.

Evans, Marvin, Walla Walla.
 Everette, Willis Eugene, Tacoma.
 †Ferrie, G. M., Spokane.
 Flewelling, Albert L., Spokane.
 Folsom, Myron A., Spokane.
 Force, H. C., Seattle.
 Fulton, Walter S., Seattle.
 Garrecht, F. A., Spokane.
 Gaston, O. C., Everett.
 Gorham, William H., Seattle.
 Gosc, M. F., Olympia.
 Gose, T. P., Walla Walla.
 Graves, Will G., Spokane.
 Griggs, Herbert S., Tacoma.
 Grosscup, Benjamin S., Tacoma.
 Hadley, A. M., Bellingham.
 Hadley, Hiram E., Seattle.
 Hadley, Lin. H., Bellingham.
 Hanford, Cornelius H., Seattle.
 Happy, Cyrus, Spokane.
 Hartman, John P., Seattle.
 Hayden, Elmer M., Tacoma.
 Herr, Willis B., Seattle.
 Higgins, John C., Seattle.
 Hodgdon, C. W., Hoquiam.
 Howard, Clinton W., Bellingham.
 Howe, James B., Seattle.
 Hoyt, John P., East Seattle.
 Hughes, E. C., Seattle.
 Hulbert, Robert A., Seattle.
 Huneke, William A., Spokane.
 †Jemeph, M. E., Davenport.
 Jones, Richard Saxe, Seattle.
 Kauffman, Ralph, Ellensburg.
 Keene, Walter A., Seattle.
 Kelleher, John, Seattle.
 Korte, George W., Seattle.
 †Lally, Thomas A. E., Spokane.
 Levy, Aubrey, Seattle.
 Love, C. Morup N., Wilbur.
 Lueders, Henry W., Tacoma.
 McClure, Henry F., Seattle.
 McClure, Walter A., Seattle.
 McClure, William E., Seattle.
 McCord, E. S., Seattle.
 McCroskey, R. L., Colfax.
 McMicken, Maurice, Seattle.
 McMillan, Raymond J., Tacoma.
 Main, John F., Olympia.
 Mendenhall, Mark F., Spokane.
 Miller, Fred, Spokane.
 Munday, Charles F., Seattle.
 Munn, George Ladd, Seattle.
 Murphy, James B., Seattle.
 Murray, Charles A., Tacoma.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

WASHINGTON—WEST VIRGINIA.

Neterer, Jeremiah, Seattle.
 Nuzum, Richard W., Spokane.
 Oldham, Robert P., Seattle.
 Padgett, Beale Edward, Everett.
 Parker, Emmett N., Olympia.
 Patterson, Charles E., Seattle.
 Peters, W. A., Seattle.
 Peterson, Fred H., Seattle.
 Piles, Samuel H., Seattle.
 Poindexter, Miles, Spokane.
 Post, Frank T., Spokane.
 Preston, Harold, Seattle.
 Ramsey, H. J., Seattle.
 Reid, George T., Tacoma.
 Reynolds, Allen H., Walla Walla.
 Rhodes, Harry A., Spokane.
 Robb, Bamford A., Seattle.
 Roberts, John W., Seattle.
 Ronald, J. T., Seattle.
 Shafer, C. Will, Olympia.
 Sharpstein, John L., Walla Walla.
 Shepard, Charles E., Seattle.
 Shine, P. C., Spokane.
 Smith, Winfield R., Seattle.
 Spirk, Charles A., Seattle.
 Stedman, Livingston B., Seattle.
 Sterne, Samuel R., Spokane.
 Swan, Edgar M., Vancouver.
 Tallman, Boyd J., Seattle.
 Tanner, W. V., Olympia.
 Terhune, R. S., Seattle.
 Todd, Elmer E., Seattle.
 Tolman, Warren W., Spokane.
 Trefethen, D. B., Seattle.
 Tucker, Wilmon, Seattle.
 Turner, George, Spokane.
 Voorhees, Reese H., Spokane.
 Wakefield, William J. C., Spokane.
 Williams, James A., Spokane.
 Winders, C. H., Seattle.
 Winfree, W. H., Spokane.
 †Witherspoon, A. W., Spokane.

WEST VIRGINIA.

Alderson, C. M., Charleston.
 Alderson, Fleming N., Richwood.
 Allen, Guy R. C., Wheeling.
 Ambler, B. Mason, Parkersburg.
 Anderson, Luther C., Welch.
 Archer, Vachel B., Parkersburg.
 Avis, S. B., Charleston.
 Baker, George C., Morgantown.
 Baker, John M., Spencer.
 Baker, R. M., Huntington.
 Beckwith, Frank, Charles Town.

Belcher, Albert M., Charleston.
 Blackford, George A., Wheeling.
 Bland, George W., Clarksburg.
 Bouchelle, J. F., Charleston.
 Bowers, E. A., Elkins.
 Brannon, W. W., Weston.
 Breckinridge, A. N., Summersville.
 Bumgardner, J. Lewis, Beckley.
 Camden, H. P., Parkersburg.
 Campbell, C. W., Huntington.
 Campbell, Charles N., Charles Town.
 Carrigan, Chas. E., Moundsville.
 Carter, Edward E., Wellsburg.
 Chilton, Wm. Edwin, Charleston.
 Clay, Buckner, Charleston.
 Cobb, William H., Elkins.
 Conley, William G., Charleston.
 Cornwell, John J., Romney.
 Crogan, P. J., Parkersburg.
 Davis, Dabney C. T., Jr., Charleston.
 Davis, John W. (Washington, D. C.),
 Clarksburg.
 Davis, Staige, Charleston.
 Dayton, Alston G., Philippi.
 Dayton, Arthur S., Philippi.
 Dice, Charles S., Lewisburg.
 Dillon, O. W., Fayetteville.
 Downes, J. M. N., Buckhannon.
 Dunlap, R. F., Hinton.
 Easley, D. M., Bluefield.
 Edwards, William S., Charleston.
 Ewing, James W., Wheeling.
 Faulkner, Charles J., Martinsburg (Wash-
 ington, D. C.)
 File, Ashton, Beckley.
 Fleming, A. B., Fairmont.
 French, D. E., Bluefield.
 Goodykoontz, Wells, Williamson.
 Gore, Claude W., Clarksburg.
 Hamill, James L. (Columbus, O.), Welch.
 Haymond, W. E., Sutton.
 Hechmer, John L., Grafton.
 Henson, J. O., Martinsburg.
 Hervey, Henry C., Wheeling.
 Higginbotham, C. C., Buckhannon.
 Hogg, Charles E., Point Pleasant.
 Hubbard, Nelson C., Wheeling.
 Hubbard, William P., Wheeling.
 Hughes, William W., Welch.
 Jackson, Malcolm, Charleston.
 Jackson, Stephen Goodloe, Clarksburg.
 Jacobs, Thos. P., New Martinsville.
 Jeffords, Tracy L., Harpers Ferry.
 Johnson, Clyde B., Charleston.
 Jones, Henry Craig, Morgantown.
 Kahle, James S., Bluefield.

† Elected by Executive Committee between Meetings.

WEST VIRGINIA—WISCONSIN.

Kittle, Warren B., Philippi.
 Knight, Edward W., Charleston.
 Kreps, Charles A., Parkersburg.
 Kump, H. G., Elkins.
 Laird, John F., Parkersburg.
 †Law, J. E., Clarksburg.
 Lee, William L., Fayetteville.
 Lilly, A. A., Charleston.
 Loeb, Leo, Charleston.
 Lynch, Charles W., Charleston.
 McCamic, Charles, Wheeling.
 McClaugherty, Bernard, Bluefield.
 McDougale, Walter E., Parkersburg.
 McGrath, John M., Princeton.
 McGraw, John T., Grafton.
 McKee, David A., Wheeling.
 Martin, Clarence E., Martinsburg.
 Matthews, Wm. Burdette, Charleston.
 Maxwell, W. B., Elkins.
 Meredith, James A., Fairmont.
 Merrick, Charles D., Parkersburg.
 Miller, James H., Hinton.
 Miller, William N., Parkersburg.
 Moats, Francis P., Parkersburg.
 Moore, Everett F., Moundsville.
 Morris, Tusca, Fairmont.
 Moss, Hunter H., Jr., Parkersburg.
 Neal, George I., Huntington.
 Nuckolls, Elbert L., Fayetteville.
 O'Brien, John J. P., Wheeling.
 O'Brien, William S., Buckhannon.
 Osenton, C. W., Fayetteville.
 Palmer, John C., Jr., Wheeling.
 Partlow, Ira J., Keystone.
 Payne, James M., Charleston.
 Payne, William D., Charleston.
 Poffenbarger, George, Charleston.
 Price, George E., Charleston.
 Reynolds, Frank C., Keyser.
 Richards, H. Campbell, Wheeling.
 Ritz, Harold A., Bluefield.
 Robinson, Ira E., Charleston.
 Robinson, James W., Clarksburg.
 Robinson, Jed W., Grafton.
 Rosenbloom, Benjamin Louis, Wheeling.
 Sanders, Joseph M., Bluefield.
 Scherr, Harry, Williamson.
 Shaw, Harry, Fairmount.
 Shrewsbury, George H., Charleston.
 Simms, John T., Fayetteville.
 Smith, Edward G., Clarksburg.
 Smith, Harrison Brooks, Charleston.
 Smith, Harvey F., Clarksburg.
 Smith, Levin, Parkersburg.
 Snider, Millard F., Clarksburg.
 Sommerville, J. B., Wheeling.
 Spencer, J. S., Point Pleasant.

Spilman, Robert S., Charleston.
 Stewart, Edgar B., Morgantown.
 Stokes, Wyndham, Welch.
 Strother, D. J. F., Welch.
 Strother, J. A., Welch.
 Strother, James French, Welch.
 Townsend, T. C., Charleston.
 Turner, Smith D., Parkersburg.
 Valentine, A. Jay, Parsons.
 Vandervort, James W., Parkersburg.
 Van Winkle, W. W., Parkersburg.
 Walker, Stuart W., Martinsburg.
 Wallace, George Selden, Huntington.
 Watts, Cornelius C., Charleston.
 Wells, Rom, St. Mary's.
 White, Kemble, Fairmont.
 White, Robert, Wheeling.
 Wilkinson, John B., Logan.
 Williams, L. Judson, Charleston.
 Willis, M. H., New Martinsville.
 Wilson, Robert R., Clarksburg.
 Wolfe, William Henry, Parkersburg.
 Woods, Homer B., Harrisville.
 Woods, John M., Martinsburg.

WISCONSIN.

Aarons, Charles L., Milwaukee.
 Adams, H. W., Beloit.
 Aylward, John A., Madison.
 Babb, Max Wellington, Milwaukee.
 Baensch, Emil, Manitowoc.
 Bagley, William R., Madison.
 Baker, Norman L., Milwaukee.
 Ballhorn, George E., Milwaukee.
 Bancroft, L. H., Richland Center.
 Barber, Charles, Oshkosh.
 Barnes, John, Madison.
 †Barney, John M., Milwaukee.
 Barry, Michael, Phillips.
 Belitz, Arthur F., Madison.
 Bennett, John Henry, Viroqua.
 Bird, Claire B., Wausau.
 Black, William E., Milwaukee.
 Blake, Chauncey E., Madison.
 Bloodgood, Francis, Jr., Milwaukee.
 Bloodgood, Wheeler P., Milwaukee.
 Boesel, Frank Tilden, Milwaukee.
 Bohmrich, Louis G., Milwaukee.
 Bradford, Francis S., Appleton.
 †Briere, Charles E., Grand Rapids.
 Brown, Neal, Wausau.
 Bugbee, Albert L., Shell Lake.
 †Bundy, Charles T., Eau Claire.
 Butler, Harry L., Madison.
 †Cady, Samuel H., Green Bay.
 Carby, J. O., Milwaukee.
 Carpenter, Paul D., Milwaukee.

WISCONSIN.

†Chase, John B., Oconto.
 Churchill, Wm. H., Milwaukee.
 Clark, Homer C., Neillsville.
 Clark, Orlando E., Appleton.
 Clementson, George, Lancaster.
 †Conway, Wm. J., Grand Rapids.
 Corrigan, Walter D., Milwaukee.
 Dahlman, Louis A., Milwaukee.
 Doerfler, Christian, Milwaukee.
 Dunwiddie, John D., Monroe.
 Durant, Paul D., Milwaukee.
 Eastman, E. C., Marinette.
 Ekern, Herman L., Madison.
 Ela, Emerson, Madison.
 Ellis, Fred. Chas., Milwaukee.
 Eschweiler, F. C., Milwaukee.
 Evans, Wm. L., Green Bay.
 Fairchild, Arthur W., Milwaukee.
 Fairchild, Hiram O., Green Bay.
 Fawcett, Charles F., Milwaukee.
 Fish, Irving A., Milwaukee.
 Fisher, John J., Bayfield.
 Flanders, James G., Milwaukee.
 Freeman, Robert R., Milwaukee.
 Friend, Charles, Milwaukee.
 Frost, Edward W., Milwaukee.
 Furlong, William E., Milwaukee.
 Gabel, George H., Milwaukee.
 Gauerke, John W., Green Bay.
 Geiger, Ferdinand A., Milwaukee.
 Gellfuss, Carl F., Milwaukee.
 Gilmore, Eugene Allen, Madison.
 Glickman, Nathan, Milwaukee.
 Goff, Guy D., Milwaukee.
 Goggins, Bernard E., Grand Rapids.
 Gold, Walter L., Milwaukee.
 Gordon, George H., LaCrosse.
 Grace, H. H., Superior.
 Grady, Daniel H., Portage.
 Graves, C. W., Viroqua.
 Green, Harrison S., Milwaukee.
 Greene, George G., Green Bay.
 Halecy, Lawrence W., Milwaukee.
 Hammersley, Charles E., Milwaukee.
 Hannan, Timothy J., Milwaukee.
 Hanson, Frank H., Mauston.
 Harper, John F., Milwaukee.
 Hayes, William A., Milwaukee.
 Hemlock, Daniel J., Waukesha.
 Hollister, R. A., Oshkosh.
 Hooper, Moses, Oshkosh.
 Houghton, Frank W., Milwaukee.
 Hoyt, Frank M., Milwaukee.
 †Hudnall, George B., Superior.
 Hurley, Michael A., Wausau.
 Husting, Bonduel Albert, Fond du Lac.

Husting, Paul O., Mayville.
 Jackman, Ralph W., Madison.
 Jackson, Russell, Milwaukee.
 Jeffris, Malcolm G., Janesville.
 Jenkins, James G., Milwaukee.
 Jones, Burr W., Madison.
 Jones, Granville D., Wausau.
 Karrow, Herman Henry, Milwaukee.
 Kaumheimer, Wm., Milwaukee.
 Kellogg, Harry L., Milwaukee.
 Kelly, John A., Oconomowoc.
 Kemper, Jackson B., Milwaukee.
 Kerwin, J. C., Neenah.
 Killilea, Henry J., Milwaukee.
 Kittell, John A., Green Bay.
 Kreutzer, A. L., Wausau.
 Lewis, Henry M., Madison.
 Lines, George, Milwaukee.
 Lord, Irving P., Waupaca.
 Ludwig, John C., Milwaukee.
 Lueck, Martin L., Juneau.
 Lyon, Jay F., Elkhorn.
 McConnell, John E., LaCrosse.
 McDonald, Charles H. (Washington, D. C.), Wittenberg.
 McGeoch, Arthur N., West Allis.
 McGovern, Francis E., Milwaukee.
 McMillan, John W., Milwaukee.
 McNamara, D. W., Montello.
 MacBride, Robert J., Neillsville.
 Mack, Edwin S., Milwaukee.
 MacLeod, Arthur Wm., Washburn.
 Mahoney, D. O., Viroqua.
 Mallory, Rollin B., Milwaukee.
 Mann, Charles D., Milwaukee.
 Martin, Patrick H., Green Bay.
 Martineau, Pierre A., Marinette.
 Mason, Vroman, Madison.
 Matheson, Alexander E., Janesville.
 Mead, Lewis Henry, Shell Lake.
 Merton, Ernst, Waukesha.
 Miller, Benjamin K., Milwaukee.
 Miller, George P., Milwaukee.
 †Minahan, Eben R., Green Bay.
 Minahan, Edmund D., Rhinelander.
 Monroe, Charles E., Milwaukee.
 Morris, Charles M., Milwaukee.
 Morris, William A. P., Madison.
 Morsell, Arthur L., Milwaukee.
 Morton, George E., Milwaukee.
 Mott, Mayhew, Neenah.
 Moust, Malcolm O., Janesville.
 Naber, Emil H., Mayville.
 Nash, Archie L., Manitowoc.
 Nash, Edwin G., Manitowoc.
 Nash, Lyman J., Manitowoc.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

WISCONSIN-WYOMING.

Neelen, Neele B., Milwaukee.
 Nemmers, E. P., Milwaukee.
 Neville, Arthur Courtney, Green Bay.
 Nolan, Thomas S., Janesville.
 North, Jerome Reynolds, Green Bay.
 Noyes, George H., Milwaukee.
 O'Connor, George E., Eagle River.
 Olin, John M., Madison.
 Orton, Philo A., Darlington.
 Palmer, Walter Curtis, Racine.
 Park, Byron B., Madison.
 Parker, Barton L., Green Bay.
 Pedrick, Samuel E., Ripon.
 Pereles, Nathan, Jr., Milwaukee.
 †Perrin, Solon L., Superior.
 Posa, Benjamin, Milwaukee.
 Quarles, Louis, Milwaukee.
 Quarles, William C., Milwaukee.
 Reid, A. H., Wausau.
 Richards, Harry S., Madison.
 Richmond, T. C., Madison.
 Riordan, Daniel E., Wausau.
 Rix, Carl B., Milwaukee.
 Roberts, D. E., Superior.
 Robinson, Nathaniel S., Milwaukee.
 Rosenberry, Marvin B., Wausau.
 Runke, Richard B., Merrill.
 Sanborn, A. L., Madison.
 Sanborn, John Bell, Madison.
 Sanderson, Thomas A., Sturgeon Bay.
 Scanlan, Charles M., Milwaukee.
 Schubring, E. J. B., Madison.
 Shea, William F., Ashland.
 Stafford, William H., Chippewa Falls.
 Stebbins, Byron H., Madison.
 Steele, William M., Superior.
 Stevens, E. Ray, Madison.
 Stevens, John C., Jr., Milwaukee.
 Stewart, Calvin, Kenosha.
 Sutherland, George G., Janesville.
 Swan, George Brewster, Beaver Dam.
 Swansen, Sam T., Madison.
 Tenney, Charles Homer, Madison.
 Thompson, Charles S., Milwaukee.
 Thompson, John C., Oshkosh.
 Tibbs, William L., Milwaukee.
 Timlin, Wm. H., Milwaukee.
 Turner, William J., Milwaukee.
 Upham, Horace A. J., Milwaukee.
 Van Alstine, C. H., Milwaukee.
 VanDyke, Douglass, Milwaukee.
 Van Dyke, George D., Milwaukee.
 Van Dyke, William D., Milwaukee.
 Walker, Mortimer E., Racine.
 †Walsh, John, Washburn.

Wheeler, Frederick F., Waupaca.
 †Wheeler, William E., Grand Rapids.
 Whelan, Charles E., Madison.
 Whitehead, John M., Janesville.
 Wigman, J. H. M., Green Bay.
 Wilcox, Roy Porter, Eau Claire.
 Wild, Robert, Milwaukee.
 Williams, George L., Grand Rapids.
 Williams, Orren T., Milwaukee.
 Winkler, Frederick C., Milwaukee.
 Winslow, John B., Madison.
 Wood, Edgar L., Milwaukee.
 Wood, John J., Jr., Berlin.
 Woodard, William H., Watertown.
 Zimmers, William J., Milwaukee.

WYOMING.

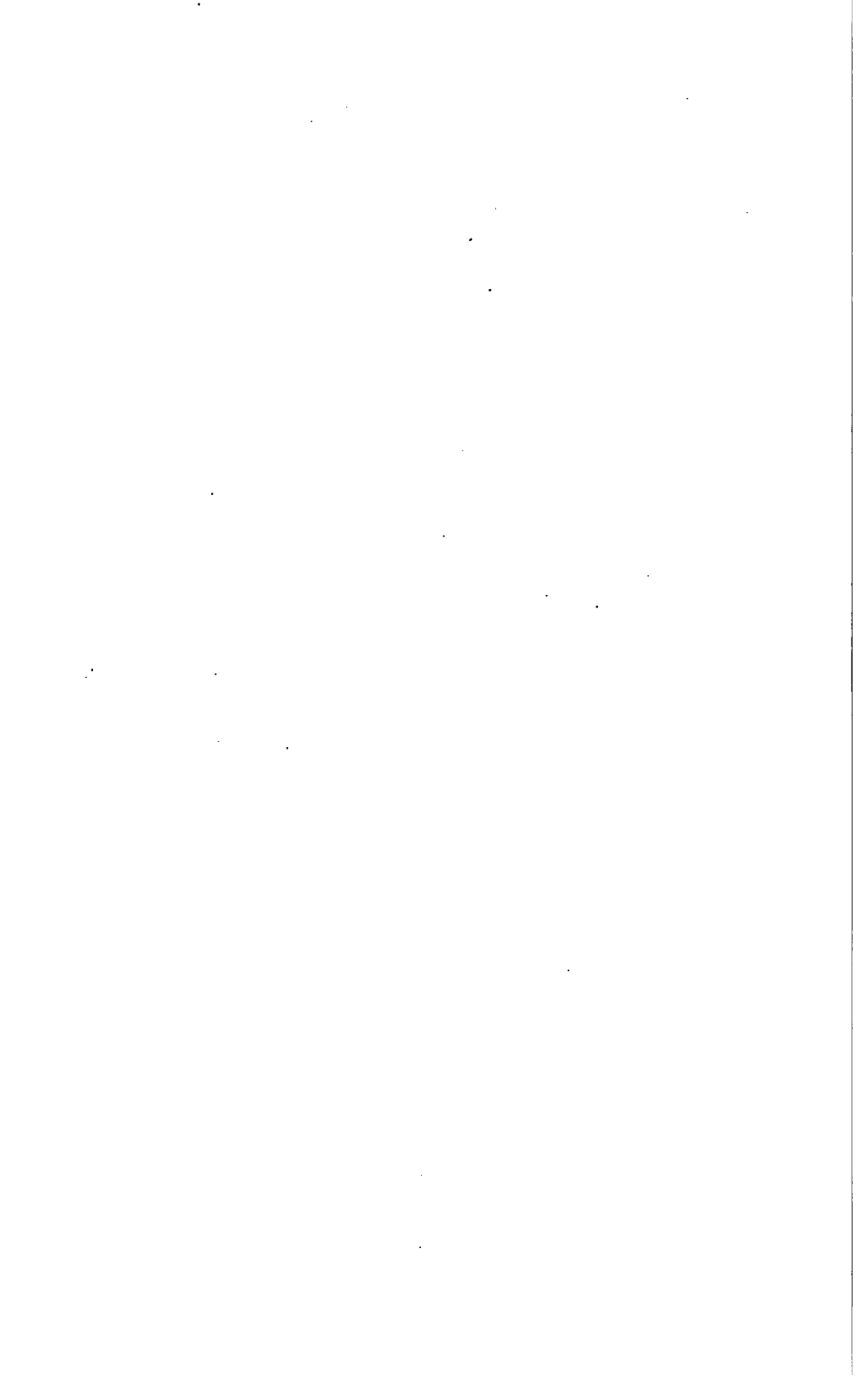
†Anderson, Frank E., Laramie.
 Arnold, Constantine P., Laramie.
 Arnold, John R., Evanston.
 †Ausherman, Benjamin M., Evanston.
 Barnes, John B., Jr., Casper.
 Blydenburgh, Charles E., Rawlins.
 Brimmer, George E., Rawlins.
 Brown, Melville C., Laramie.
 Burdick, Charles W., Cheyenne.
 Camplin, M. B., Sheridan.
 †Clark, Clarence D., Evanston.
 Clark, John D., Cheyenne.
 Corthell, Nellis E., Laramie.
 Deming, William C., Cheyenne.
 Donzelmann, Hugo, Cheyenne.
 Downer, Frank M., Jr., Sheridan.
 †Holliday, W. B., Casper.
 Kennedy, T. Blake, Cheyenne.
 Kimball, Ralph, Lander.
 Kinkad, William C., Cheyenne.
 Kline, M. A., Cheyenne.
 Lacey, John W., Cheyenne.
 Lonabaugh, E. E., Sheridan.
 McMurray, Will, Laramie.
 Marshall, D. P. B., Sheridan.
 Matson, Roderick N., Cheyenne.
 Mullen, William E., Cheyenne.
 Potter, Charles N., Cheyenne.
 Reavill, David A., Rock Springs.
 Ridgely, Hilliard S., Cheyenne.
 Ross, William B., Cheyenne.
 Simpson, William L., Cody.
 Taliaferro, Thos. Seddon, Jr., Rock Springs.
 Van Devanter, Willis (Wash., D. C.), Cheyenne.
 Watts, Clyde M., Cheyenne.
 West, Raymond B., Basin.

† Elected by Executive Committee between Meetings.

‡ Elected by Association at Annual Meeting, 1915.

RECAPITULATION

State.	No. of Members.	State.	No. of Members.
Alabama	91	Nebraska	169
Alaska	4	Nevada	54
Arizona	41	New Hampshire	45
Arkansas	139	New Jersey	167
California	249	New Mexico	33
China	3	New York	1425
Colorado	183	North Carolina	108
Connecticut	172	North Dakota	61
Cuba	1	Ohio	355
Delaware	40	Oklahoma	124
District of Columbia.....	253	Oregon	69
Florida	105	Pennsylvania	809
France	4	Philippine Islands	5
Georgia	108	Porto Rico	12
Hawaii Territory	26	Rhode Island	76
Idaho	98	South America	1
Illinois	564	South Carolina	114
Indiana	125	South Dakota	63
Iowa	128	Tennessee	169
Kansas	131	Texas	189
Kentucky	114	Utah	108
Louisiana	154	Vermont	65
Maine	90	Virginia	167
Maryland	279	Washington	145
Massachusetts	572	West Virginia	146
Mexico	3	Wisconsin	212
Michigan	167	Wyoming	36
Minnesota	287		
Mississippi	76	Total	9609
Missouri	430		
Montana	45	Honorary Members	17



APPENDIX

ADDRESS OF THE PRESIDENT.

PETER W. MELDRIM,

OF GEORGIA.

Our last meeting in Washington, D. C., was a notable one. It was particularly interesting in the fact that the Bench and the Bar, the judge and the lawyer, were brought into closer touch with each other. The scene at the annual dinner, when the Chief Justice of the Supreme Court of the United States rose to respond for that court, made a picture worthy of a master's brush. We had heard England's Chief Justice, Lord Russell, deliver the message of peace that he had brought across the seas. We had heard England's Lord Chancellor, Haldane, repeat that message. These two orations will live in the memories of all who heard them; and yet, they did not thrill as did the simple words of Chief Justice White when, with eloquence sincere and unaffected, he rose to splendid heights of purest patriotism and of moral sublimity.

Speaking of the American lawyer, he said: "May I not be permitted to indulge in the heartfelt aspiration that there may be given to him a deep and reverent purpose of faithfully discharging the duties which rest upon him, to the end that our fair institutions may be preserved and may be transmitted unimpaired to those who are to come?"

The thought thus expressed makes the subject of this address. We can form no clear conception of the lawyer, his preparation for the Bar, or of his relations to client and the state, or of his powers and duties, without first knowing something of the law, whose minister he is.

And yet, what is meant by law? The acutest thinkers have failed to satisfactorily define it. Law exists in some form everywhere, even among savages of least mental development, but the memory of the origin of law is lost in the centuries. Yet the simplest minds have a fair conception of what law is, and each mind forms its own conception for itself. Law is as old as time.

yet as young as the new-born moment; it is as certain as fate, yet as changeable as the whim or fancy of the fleeting hour; it is as high as heaven, as deep as hell, as broad as space, as infinite as infinity, as eternal as eternity, as omniscient and omnipotent as God because it is an attribute of God, and its home is the bosom of God.

Scholars have failed to define law in exact and comprehensive terms, and historians have labored in vain to locate the time and place of its birth. It is said to have originated in prehistoric custom, but even the source of the twelve tables of the Romans is involved in doubt, for it is claimed that they were taken from the laws of Solon by deputies from Rome, who visited Athens in the time of Pericles. It is certain that Pliny said to Maximus when appointed Governor of Achaia: "Revere the gods and heroes, the ancient virtue and glory of the nation. Respect even its fables and its vanity, *remembering that from Greece we derived our laws.*" These laws became through long years of development the Roman or civil law—the basis on which rests the jurisprudence of the Latin, the Slav, the Scandinavian, and the Teuton. It was modified by Teutonic customary law and by legislation. In France, from the sixth to the tenth century, it was affected by the edicts and ordinances of the kings; but it gave to the continental system of law its principles, maxims, logic, style and form. In this country, before the common law was brought to Plymouth Rock, the civil law existed at Quebec, and coming to us through France and Spain, it extended over a vast territory along the Great Lakes and the upper Mississippi. It obtained in Michigan and Wisconsin until 1810, and was to be found in theory at least from British Columbia to the Gulf of Mexico. Of this civil law Pollock and Maitland say: "It was a law that rejoiced the heart and gave wisdom unto the simple." It entered largely into ecclesiastical and probate matters, into causes in admiralty and chancery, furnishing to them alike principles and procedure. By the adoption of certain of the principles of the civil law in this country, primogeniture in the descent of title to land was abolished and equality in estate among heirs, male and female, was established. From it we get the law of testamentary capacity, succession of title to personalty, and the law that makes children born out of wedlock legitimate on the subsequent marriage of the parents.

From the same source we get our ideas of trusts, of corporations as distinct from the corporators, of obligations arising out of quasi contracts and much of the law of torts, negligence and of imposed duties. Public and private international law is mainly of continental origin, as is also the law of alluvion and accession. The great principles of *res adjudicata* and *habeas corpus* come to us through Justinian. Our separation of judge and jury is taken from the Roman law. Under that system arguments were oral; printed or written briefs were rarely used; the judges wrote no opinions, and not many books were cited in the courts. Questions of fact were closely argued, on the theory that facts precede law, and that if one is right on the facts, it is difficult for him to get wrong on the law. In the civil law the rule of *stare decisis* had no place. Decisions were not precedents. They neither added anything to the law nor took anything from it. A civilian has asked, "Why should a judge who has decided one case wrongly be obliged to decide the next one wrongly also, thus making the error of yesterday the law of today?" "Why should he not utilize knowledge, continually increased by study and observation?" The words of Portia are naturally suggested—

"It will be recorded for a precedent
And many an error by the same example
Will rush into the state; it cannot be."

Justinian enacted that no judge should be bound to follow a decision he deemed erroneous, for justice should be administered according to law, not precedent. A great American lawyer-judge, U. M. Rose, was of opinion that perhaps one-half of our system of law is made up of the civil law, and as he expressed it, "Rome still rules the world from the ruins of the Forum." Rome reigns throughout the world by her reason after having ceased to reign by her authority.

The founders of the civil law are said to have been Mucius, Brutus, and Manilius, while Caius, Papinian, Paul, Ulpian, and Modestinus were its oracles. This law became too unwieldy for practical use, and it was condensed and restated. In 527 A. D. this work was done by Tribonian and nine learned associates. The Code Justinian was prepared in 14 months. The Digests or Pandects were condensed from 2000 treatises into 50 books, and

3,000,000 lines or sentences were reduced to 150,000. The result was that the civil law became "the fruitful source of those comprehensive views and solid principles which have been applied to elevate and adorn the jurisprudence of modern nations." Its highest quality is the exact suitability to definite conditions of life. While it differs from the common law in many things, yet the two systems are much the same; although an eminent authority, the late Judge Dillon, was of the opinion that the English and Roman systems were widely different in their conceptions, growth, essential character, and scope. The common law is said to be "the perfection of reason which is gotten by long and continual study." The common law is a fact and not a theory. It was evolved from the experiences of men, and while fragmentary and disconnected, it was built up from individual instances. "The flexibility and capacity for growth and adaptation is the peculiar boast and excellence of the common law." It adapts itself to every emergency and is "the collected wisdom of ages, combining the principles of eternal justice with the infinite variety of human concerns." Whether it is fragmentary or is "founded on a comparatively few broad general principles of justice, fitness and expedience," as claimed by a great English Chief Justice, I shall not attempt to determine. Mansfield insisted that the *lex mercatoria* gave to the English law a finer and exacter justice than could be found in any statute, while Judge Dillon declared "that for the people subject to its rule the common law is better than the Roman." Fortunately the prejudice that once existed in this country against the civil law, coming to us through our English blood and literature, and due in no small degree to the teachings of Blackstone, has almost entirely disappeared in the light of knowledge, of good sense and justice, aided by the labors of Kent, Story, and Hoffman.

From the two great sources of Roman and English law there has grown another system that, take it all in all, is better adapted to the wants of the people of this country than either the civil or common law, for with the constructive power of American genius there is being built up steadily a system of law that is indigenous, hardy, and suited to our own wants. It is immaterial whether it comes from a section engraved on a rock 228 centuries ago at Babylon in the reign of Hammurabi, or from

the Rhodian Code 900 years before the birth of Christ, or from the Code Justinian, or from the Teutonic customs that obtained in the German forests, or from the ancient laws of England's realm, or from Acts of Parliament, or from statutes enacted by State or federal legislatures, or from the decisions of the judges; "our law is a complete system of conventional and positive rules and of fundamental principles of natural justice, based upon the reason, the experience, and the conscience of mankind. The cultivated lawyer does not undervalue positive regulations, or forms, or precedents, but his vision is not bounded by them, and he delights to ascend to higher altitudes which open to him a broader horizon and a more glorious prospect. He is thus enabled to perceive that the law, in its great living essentials and principles may be and often is something more than a command of the sovereign or of a legislative body—is something deeper than these; and it has innermost and invisible springs in the nature of an elevated morality, hard by the throne of God, and that its waters—which are meant, like the leaves of the Tree of Life, for the healing of the nations—although they may be colored or tintured by the soils through which they run, never lose the sweetness and purity derived from their original sources, however far they may flow or to whatever uses they may be applied."

Law is made for society and must meet its actual needs. When it fails to do so respect for it is lost, and its power for good is destroyed. The law of a nation, says Mr. Bryce, is not only the expression of its character, but a main factor in its greatness.

The true measure of a people's greatness is their respect for the law. "The power of a people is synonymous with the strength of their feeling of legal right." "The fixedness, clearness, certainty of positive law, the doing away with all those principles at which a healthy feeling of legal right might take offence in any sphere of the law, not only of private law, but in the police power, the administrative, financial, legislative, the independence of the courts, the greatest possible perfection of legal procedure—this is a surer way to increase the power of the state than the greatest possible increase of the military budget." "The cultivation of the national feeling of legal right is care for the health and strength of the state."

The struggle for law has been a constant one, and while the field of the struggle is no longer a Running Mede, and the forces of evil are no longer concentrated in a John, yet the struggle goes on, and will continue to go on as long as there are conflicting forces of right and wrong. "The energy and love with which a people hold to and assert their laws are determined by the amount of toil and effort which it cost them to obtain them." "For the state which desires to be respected abroad and to be firm and unshaken internally, there is no more precious good which it has to foster than the national feeling of legal right."

Resistance, earnest, stubborn, determined resistance to all attacks on legal right, whether they are made at home or come from abroad, is the highest duty of the lawyer.

The object of law is the administration of justice, and the priests who serve in the temple are the lawyers. The purpose of every legal investigation is the ascertainment of the truth, not of abstract and irrelevant truth, but of the truth of the instant case. To that end pleadings are necessary so that an issue may be joined; so that something may be clearly affirmed upon the one side and denied upon the other. If there be one thing more than another which causes lost motion in the actual trial of causes and the occasional miscarriage of justice, it is that judges, counsel and juries do not clearly understand, hear and decide the true, vital and determining issue between the parties. These issues should be settled by the pleadings, and while these pleadings should be characterized by simplicity, they should never be wanting in certainty. And so with rules of evidence. These rules should be so framed as not to exclude testimony by the light of which the truth may be revealed, but at the same time, they should exclude irrelevant matter by which the truth is obscured or distorted. I say this much because no lawyer can succeed at the Bar without a fair knowledge of the rules of pleading and evidence, and justice itself cannot any more be administered without proper procedure than it can without fair and just substantive law.

One of the dangers of the hour is that there is a disposition not only to disregard constitutional limitations, but to abolish well-settled rules of pleading and evidence.

It would be interesting to visit the world's great legal battle-

fields, to see a trial in the Greek Agora, in the Roman Forum, or in old Westminster Hall. To see the modes of trial by Ancient Juries, Witnesses, the Party's Oath, the Ordeal, Battle. But these things are not germane to this paper; I am dealing with the advocates or lawyers. Advocacy is said to be as ancient as the law and as necessary as justice. The term advocate does not seem to have been used until about the days of Cicero, and we find him and Scævola and his great rival Hortensius trying causes in the Roman courts. It is interesting to inquire what was the preparation for Roman advocacy. We find in the case of Cicero that he was sent to the public schools of Rome, and being destined for the Bar, was taught philosophy by Philo the Academician and Phædrus the Epicurean. Diodorus the Stoic exercised him in argumentative subtleties, and Antiochus instructed him in the philosophy of Plato. The poet Archias was one of his teachers, and oratory was practised by him under Molo. The orators Antonius and Crassus aided him; the actors Æsopus and Roscius were studied by him. He declaimed daily with his competitors in Latin and Greek, and he frequented the Forum. Scævola was his legal preceptor, and he saw service in the field under Pompeius Strabo. He added to the advantages of the schools the benefits of travel, and spent two years in foreign lands. This was the preparation of the Roman advocate. Out of the civil or Roman law grew the French *avocat*, and out of the common law the English barrister, and out of both, unconsciously perhaps, but nevertheless most splendidly, has grown the American lawyer. The preparation of the French *avocat* for admission to the Bar is not without interest; he must hold a degree of bachelor of arts, has to take a three years' course, and to pass an examination at the end of each year. The examination covers Roman and civil law, political economy, general history of French legislation, including colonial or industrial legislation, constitutional law, and the guaranty of individual freedom, as well as private and international law, criminal and commercial law, civil procedure, and the legal means of enforcing judgment. The *avocat* tries cases in the civil and criminal courts, but not in the Court of Cassation. For this court there is a special barrister called an *avocat a la cour de Cassation*. This court has no power to revise a judgment, but merely to

send it back for a rehearing, not to the tribunal in which it was first tried, but to a tribunal of the same rank and grade in another department, the custom being not to submit the same case twice to the same tribunal.

The preparation for the English Bar is at the Inns of Court. These Inns carry the mind back to the depths of the Middle Ages. They touch upon the borders of Magna Charta and the Crusades. They suggest the time when, in 1181, attorneys appeared in England, and 1292, when serjeant-attorneys were appointed. They could not discuss the evidence, and could only advise the court on the law. The preparation necessary for admission to the English Bar has been enlarged and embraces an examination in Roman as well as in English law. Before a student can be admitted into one of the Inns of Court, he must stand an examination on the English and Latin languages and English history. Before he can be admitted to the Bar he must pass an examination to the satisfaction of the Council of Legal Education in Roman law and jurisprudence and in international law, public and private, as well as upon constitutional law and legal history and English law and equity. Some 20 years ago our friend, Sir Frederick Pollock, wrote in this connection thus: "A new scheme of lectures is about to be started by the Council of Legal Education. Everything will depend on the working of it. On paper it is certainly better than the old one; and if it be worked with zeal and intelligence the Inns of Court may possibly within a few years be not much inferior as a center of legal instruction to a second-rate American law school."

In this country there is no uniform standard for admission to the Bar, but our laws schools are constantly advancing their curricula, and are recognizing the great fact that jurisprudence embraces or is closely related to all other sciences. They are not unmindful of the saying of Coke, that "there is no knowledge (seemeth it at the first of never so little moment) but it will stand the diligent student in stead at one time or the other." Nor are they regardless of the demand of Rabelais, "that jurisprudence should be reinforced by humanist culture, and that philosophy, history and science in general were indispensable to a true juris consult." Yet, back of all preparation for the Bar

stands the man—the physical, mental and moral man. Many changes have been wrought in substantive and procedural law, and the lawyer must keep abreast of these changes, for “the law is essentially a progressive science; and its structure and the rules of procedure must continue to change as required by new conditions of society.” These changes can only be wisely made through the united thought and action of the Bench and Bar, for judges and lawyers are one. At the opening of the Royal Courts of Justice, the Lord Chief Justice said he “hoped that the unbroken tradition—unbroken since he had known it—of mutual dependence and harmony between the Bench and Bar would continue unbroken—relations without which the Bar might probably, and the Bench certainly, would find it impossible to discharge their most important functions.”

The most important thing for the lawyer to possess, in order to discharge his simple, every-day duty to his client, is common sense, the ability to see things as they are, not as he would like to see them. To have a just appreciation of the true relation which one fact or one principle bears to every other fact and every other principle involved in the case. To have a sense of legal perspective, and the skill to present effectively the strong points in his case and the art to conceal the weak ones. To have that common honesty which prevents one not only from trying to fool another, but from fooling himself. No matter how acute the intellect, or how well prepared one may be in the learning of the schools, there comes to the lawyer no practical success without an infinite care of details and an accurate knowledge of facts. If you are right on the facts the law will take care of itself. It goes without saying that the foundation at last on which the lawyer must build is his knowledge of the law. When to this knowledge is added human sympathy, clear statement, and true eloquence, the lawyer becomes the strongest single force in human affairs. It is true that forensic oratory has changed even within the memory of living men, but the power of clear, strong, forceful and ornate speech is as great today as when in the Forum Cicero defended Roscius or prosecuted Verres, or from the Senate drove forth Cataline. The same advancement which came to the Roman lawyer, professionally, politically and socially, from splendid oratory, comes today to the cultivated and accom-

plished American lawyer. There is in a great oration a plan as complete as that in architecture, a form as noble as that in sculpture, an expression as true as that in painting, and a harmony as perfect as that in music. It does not follow that true oratory fails to be appreciated by a practical people. The Romans were essentially practical. While mere display and affectation find no support at the Bar, before the people, or in deliberative assemblies, yet directness, force and good taste continue to convince and persuade.

The duty which a lawyer owes to himself, his client, and the state is in proportion to his power. If he would have respect of others, he must first respect himself, and the character, dignity and bearing of a truly great lawyer has more influence over the Bar than oaths of office or canons of ethics. The highest praise that can come to the lawyer is the good opinion, the love and esteem of his brothers at the Bar. They weigh him at his just weight. They measure him according to his just measure. They know his capacity, ability, industry, and integrity, how true he is to his clients' cause, and how far he is from placing his professional honor in his clients' keeping; they know how far he is respectful to court, opposing counsel, parties, and witnesses. They know how far he is from speaking disparagingly of the members of his own Bar, and of the judges before whom he practises. They know how far he detests petty meanness and abhors sharp practices. They know full well whether or not his courtesy is unfailing, his courage undoubted, and his ideals high. The true test of the lawyer is the opinion of the Bar. "The greatest lawyer, be he judge or jurist, is he who combines a firm grasp of the material realities of life with a clear vision of the ideal beyond." And no lawyer can have a higher ideal than the maintenance of the independence of the judges. This maintenance was said by Webster to be "essential and indispensable to the very being of the government." This maintenance should not be half-hearted. The upright and fearless judge should feel that he has at all times and under all circumstances the earnest and loyal support of an outspoken and courageous Bar. No self-respecting judge will be guilty of judicial arrogance. He is as considerate of the feelings of the youngest lawyer who practises before him as he is of the great leader of the Bar. Disrespect

from the Bar to the Bench is vulgar and punishable; disrespect from the Bench to the Bar is cowardly and contemptible.

Law is a profession, not a trade, and success in it consists in more than money-getting. Personal interest should be merged in the welfare of the client, and every honorable effort be made to avoid unnecessary litigation. If litigation comes, then it is war, but honorable war, and in its conduct the true lawyer—the man who deserves success—must face with a high courage every danger. The frenzy of the mob should not deter him from doing his duty as he understands it. Judicial arrogance should not overawe him into servile submission to erroneous decision. He should be bound by no fetters of gold, blinded by no prejudices of creed or party, but deaf to all appeals of ignoble self-interest. He should ever be the loyal lover of his jealous mistress, the law. He should bear reverses with fortitude and receive success with modesty. He should remember that a good cause requires no abuse, and that a bad one is not helped by it; that violence of gesture is not grace, and loudness of voice is not eloquence; that dogmatic assertion does not convince, and vituperation does not persuade. He should reverence his conscience as a king. His glory should be in redressing human wrongs. He should speak no slander, no, nor listen to it. That lawyer alone brings respect to the Bar who “with high erected thought seated in the heart of courtesy,” with “malice towards none, with charity for all, with firmness in the right as God gives him to see the right,” with clear brain and brave heart, with high and noble purpose, with labor that feels no weariness and courage that knows no faltering, guards his clients’ cause and his country’s liberties as he does his own fair name. The lawyer has not always been a favorite of the populace, of literature, and of legislation. Lawyers were banished from Rome. In 1307 the English House of Commons enacted that no man of law should be returned to that body. Virginia, in 1645, forbade lawyers to receive fees, and Massachusetts, in 1663, excluded them from the general court. Even Plato said it was a sign of an intemperate and corrupt commonwealth when lawyers abound. Dick the Butcher proposed to Jack Cade they should first kill the lawyers. Peter the Great thought it well to hang them, while dramatists have denounced them, and novelists have caricatured them, and yet the

lawyers have at all times done their duty to their country. Coke, by his energy of character and constitutional learning, carried the Petition of Right. In this country, from John Marshall at Brandywine, Monmouth and Valley Forge, down to this good hour, the lawyers have defended the dignity, power and glory of the republic. In every crisis there has arisen a great lawyer. Back of Washington stood Hamilton; back of Grant stood Lincoln. Back of Lee stood Judah P. Benjamin. Hamilton, Lincoln, Benjamin, all great lawyers, exemplifying the highest ideals of the law.

Mr. Woodrow Wilson, in addressing this Association in 1910, said that this country "never needed lawyers more than it needs them now." His statement is as true today as when he uttered it. The republic needs the bold, eloquent, patriotic and fearless advocate as much now as the colonies needed him in that elder day when out of 56 signers of the Declaration of Independence 28 were lawyers, as much as in the day when James Otis fired the heart of Massachusetts and Patrick Henry roused Virginia to resistance. It is true that we exercise no direct force; we can neither make laws nor execute them; at our command no battleships cover the seas, no squadrons with raised sabers charge the foe, no infantry marches with steady tread, no artillery trains its guns, no fertile fields are devastated, no proud cities razed, no treasure is squandered, and no blood is shed; and yet, mightier than armies and navies is the intellectual and moral force of the world's lawyers, for back of every form of civilized government, advising and controlling governmental policy, are the lawyers. Their influence is far-reaching. It may be read by the light of the hearthstone, guiding the domestic relations, and in the after-glow of battle, preparing and executing the final compact of peace between warring nations.

Duty comes with power, and opportunity waits on both. Never in the history of advocacy has so broad, so varied, and so interesting a field existed for the work of the truly great lawyer. Out of our modern conditions new facts and new combinations of facts are constantly arising—conditions never dreamed of by the ancient law, not covered by statutes, and not settled by adjudicated cases. The vast changes that have been wrought within the memory of living men make the truths of today seem stranger

than the fables of antiquity. We travel now from Joppa to Jerusalem by steam; we telegraph or telephone to our friends at home, send a wireless to them at sea, and cable to them across the ocean. We no longer ride in the one-horse chaise or on the old stage-coach, but in palace car, automobile, or airship. Fulton's Clermont has become the dreadnought. The rude bridge of wood or stone is replaced by one of structural steel. The spinning wheel has become the factory with its thousands of spindles, its army of operatives, its stupendous corporate wealth. The agricultural chemist has restored the worn-out soil. The hydraulic engineer has made fertile the arid lands. The mechanical engineer, by a thousand labor-saving devices, has enabled the "man" to throw away the hoe and stand erect in the image of his Maker. The village water-wheel becomes Niagara chained, and the tallow dip is lost in electric glory. The stylus has been succeeded by the typewriter, the printer by the Mergenthaler, the hand-press by Hoe's octuple. The mad rushing train is stopped in an instant by compressed air; while anesthesia, the Roentgen ray, and antiseptic surgery, together with a knowledge of the laws of sanitation and hygiene, have increased the duration of human life. To such a degree of perfection has science attained that we can get from the laboratory an egg or a beefsteak, a ruby or a diamond. From the waste product of the gas retort come the most delicate colors, the perfume of flowers, the flavor of fruits. It is a far cry from the bows and arrows of our ancestors to the high explosives, the smokeless powder, the howitzers of today; from the war galleys of Diodorus Sicilius to the modern submarine. It is a far cry from Morse to Marconi.

Not only has science compelled the old law to expand, and new statutes to be enacted, but transportation by land and sea, in the heavens above and in the waters beneath, are presenting new problems of regulation, control, and ownership. Great highways are being constructed involving new applications of the law of eminent domain, and the right to impose specific taxes upon motor vehicles because of the special benefit they derive from improved roads; the right of these vehicles to run in cities in opposition to surface roads, and the reasonableness or unreasonableness of ordinances and statutes for their regulation are raising questions as difficult as they are novel.

Interstate commerce and the powers and duties of that and of like commissions have created a field which requires the highest specialization. Commerce with foreign nations, the freedom of the seas, the three-mile or cannon-shot limit, blockade, confiscation of private property on the high seas, neutrality, of what in good faith it consists, and in what way violated; contraband, what it is and how determined, and the right of capture or destruction of ship and cargo; the rights of American citizens in American, neutral, or belligerent ships, what those rights are, how abandoned and lost, and in what way they can without passion be determined, and without wrong to others be enforced, are matters that press with a heavy hand on the brain and heart of the world's lawyers. The questions of the hour must be answered by wisdom or war, by the law or by the sword. Permanent and universal peace cannot be expected, but if the rights of nations could be determined by law, and the judgments pronounced by the law enforced, then there would be a reduction to a minimum of the violation of national rights, and the preservation to the largest degree of the world's peace. Mere sentimental appeals for peace avail little. If peace is to be won, it must be by enlisting in the army of peace the same strong forces that gain victory in war. Peace will never come through the denunciation of a nation's heroes; it will never come by the destruction of the military pride and spirit of the people. It had better never come than come crawling in base submission to wrong and insult. A just war is better than a dishonorable peace, and no greater curse can befall a people than the decay of that patriotic spirit which stands ready in a cause that is just to rally to a nation's colors and to take no account of blood or treasure expended in their defense.

The whole field of private and public international law is alive with questions that must be answered. The power of our national government to enforce treaties, when the terms thereof have been violated by citizens of a State, raise questions of the gravest concern, regard being had to the sacredness of the treaties on the one hand and the right of States upon the other. Closely related to our treaty relations are matters of tariff which, directly affecting imports and indirectly exports, influence production, manufacture and distribution, making the investments of capital certain

and remunerative or the contrary thereof, and giving to labor just reward or causing enforced idleness as the legislation is wise or foolish and is founded on accurate and comprehensive knowledge, to which well-settled principles of political economy are applied, or is the result of demagoguery.

The law of master and servant is being revolutionized. Hours of labor, appliances of labor, liability of employers, compulsory compensation to injured workmen, are all the objects of constructive legislation which is seeking to benefit labor and not to do violence to established principles of private right and settled maxims of free government. These problems have to be answered. The demagogue cannot answer them. Dynamite cannot answer them. They can only be answered by the clear-thinking and courageous lawyer. The labor problem touches at many points immigration, naturalization, exclusion, and citizenship. Citizenship carries with it the elective franchise, and no greater duty rests upon the law—its ministers, judges and lawyers—than to see that the right to vote shall not be denied or abridged. Make the qualifications to vote as high as the welfare of the republic demands, but no citizen, whether born or naturalized in the United States, possessing the legal qualifications to vote should by direction and *a fortiori* by indirection, have his right denied or abridged. Under the guise of police power or public policy—twins of doubtful parentage but of numerous progeny—legislatures, State and federal, are enacting laws affecting “affairs long since in all civilized lands regarded as outside of governmental functions,” while commissions exercising powers of sovereign States have been created, and the Demos has been encouraged to destroy the limitations of the Constitution, which are the bulwarks of our liberties. Courageously opposing unnecessary changes in the law, but broadly, liberally and actively inaugurating and supporting needed reforms in substantive and procedural law, the lawyers must determine the very form and structure of our constitutional government.

“What is a Constitution? It is the form of government delineated by the mighty hand of the people, in which certain fixed principles of fundamental laws are established. The Constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the legislature and can be revoked or altered only

by the authority that made it. The life-giving principle and the death-dealing stroke must proceed from the same hand. . . . The Constitution is the wish or will of the people themselves, in their original sovereign and unlimited capacity. . . . The Constitution fixes limits to the exercise of legislative authority, and preserves the orbit within which it must move. In short. . . . the Constitution is the sun of the political system, around which all legislative, executive, and judicial bodies must revolve. The Constitution is the origin and measure of legislative authority. It says to legislators—Thus far ye shall go, and no farther. Not a particle of it should be shaken, not a pebble of it should be removed. Innovation is dangerous; one encroachment leads to another; precedent gives birth to precedent; what has been done may be done again; thus radical principles are generally broken in upon, and the Constitution eventually destroyed. Omnipotence in legislation is despotism.”

I commend to you, the American lawyers, the words of Cicero:

“Would you have power and honor, would you have the esteem of the wise and good, value the Constitution under which you live.”

—and the quaint words of Sir Edward Coke:

“And for a farewell to our jurisprudent, I wish him the gladsome light of jurisprudence, the loveliness of temperance, the stabilitie of fortitude, and the soliditie of justice.”

THE AMERICAN JUDICIARY.

BY
JOSEPH W. BAILEY,
OF TEXAS.

All thoughtful men agree that it would be impossible to govern any country wisely without a good judiciary; and accordingly every enlightened nation has established courts, conferring on them such powers and imposing on them such duties as seem best calculated to promote the public welfare. Indeed, the importance of the judiciary is now so thoroughly recognized that in every land where liberty is cherished and the law respected, the people are engaged in a constant struggle to improve their system; and in that struggle the lawyers have everywhere borne the most conspicuous, as well as the most useful part. With that thought in my mind, it has seemed to me that I could not better employ the hour which it is my privilege to spend as a guest of the American Bar Association than in discussing "The American Judiciary." The subject falls naturally into three principal divisions: the selection and the tenure of the judges; the method of administering justice; and certain exceptional features.

THE SELECTION AND TENURE OF JUDGES.

Since the American judiciary includes our state courts as well as our United States courts, and as practically all the state judges are elected for a term of years, while all of the United States judges are appointed for life, neither the manner of selecting our judges nor their official tenure can be deemed a characteristic of our system. Many intelligent men insist that since our state and federal judiciaries differ so widely in that respect, one or the other must be wrong; but that does not necessarily follow. It is entirely possible that the same end may be reached in two different ways without either way being wrong. They may both be good; and the difference may only signify that the one is better than the other.

It is perhaps a waste of time for me to consider whether the state or the federal practice is the wiser, because nothing which

I could say will produce any change in either. The policy of the general government, and the policy of the states, in that regard, are both fixed; and, in my judgment, are fixed irrevocably. Nothing less than a political convulsion will ever move the United States to elect its judges for a term of years; nor is it probable that any change of sentiment will ever induce these states to appoint their judges for life. The question, however, must always be an interesting one, and it is worthy our consideration.

I am not one of those who believe that the best judges are always secured by appointments for life. I know the advantages of such appointments, and I also know the disadvantages of them. I understand the argument that a President or a Governor is more apt to appoint, than the people are to elect, good judges; but the practical results have not demonstrated the soundness of that argument. We have not, of course, been able to compare a federal judiciary elected with a federal judiciary appointed; but we have passed from the federal courts which are presided over by judges appointed for life, into the state courts which are presided over by judges elected for a term of years, and a majority of the lawyers with whom I have the honor of a personal acquaintance prefer the state courts.

That preference is not based on any fear that justice cannot be obtained in the federal courts; and it is due largely, if not entirely, to the demeanor of the federal judges. They are more arbitrary with the lawyers, less patient with the witnesses, and less considerate of the parties. I expect all federal judges to resent that criticism, but I assure them that it is a friendly one, frankly spoken in the hope that it will help them to see themselves as others see them, and thus aid them in relieving themselves from a censure which they must know is very general, although they may not think it just.

I do not believe that the difference between the demeanor of state and federal judges is attributable to any difference in their dispositions, and I attribute it to the difference in their tenure of office; for there are few men in this world so perfectly constituted that they will exercise a power which cannot be taken from them with the same moderation as they would exercise a power which can be taken from them. That same sense of

security which is relied on to make federal judges independent of public clamor may also make them indifferent to private right; and it is absolutely certain that any judge who would be an arrant coward without that sense of security will be a petty tyrant with it.

I do not doubt that a judge appointed for life will fear the people less than a judge elected for a term of years; and neither do I doubt that a judge appointed for life will respect the people less than a judge elected for a term of years. We can escape one evil through appointing our judges for life, but we can only do so by encountering another and a greater evil—greater because there is, and always will be until human nature undergoes a radical change, more danger that permanent power will be exercised oppressively than that temporary power will be exercised with too much indulgence. The vacillating judge excites contempt; the arbitrary judge excites resentment; and as long as the world stands, men who could hope to be judges under any system, will dread contempt more than they will resentment. For that reason, the judge elected for a term of years is less apt to be a coward than the judge appointed for life is to be a tyrant.

Conceding all that I have just said, and admitting that I have not exaggerated the evil of it, many men who have won high places at the Bar contend that, notwithstanding, we can best assure a good judiciary by appointing our judges for life; and in support of that contention they point out what they are pleased to call the superiority of our federal courts over our state courts. That federal judges are superior to state judges, taken as a whole, will not be questioned; but that superiority is, in my judgment, due to circumstances wholly apart from the manner of their selection or the tenure of their office.

In selecting a federal district judge, the President can, as a rule, choose from among a million men, while the trial judges in our states must be selected from a very small fraction of that number; and the larger number from which any choice can be made must always afford the opportunity for making a better choice. Another circumstance to which federal courts owe much of their superiority over state courts, is that a federal judgeship is considered a higher honor than a state judgeship of similar rank. It may mortify our state pride to admit that.

but it is true, nevertheless, and lawyers who will readily accept a federal judgeship will as readily decline a state judgeship. Then too, a federal judgeship attracts better lawyers than a state judgeship, by its larger salary—greatly enhanced by the privilege of retiring with full pay at the age of 70 and after 10 years service. It will not do to say that the privilege of retiring is a necessary incident of a life tenure, because the one need not be coupled with the other. In fact, during the first 80 years of our history they were not coupled; for though the judges have held their offices for life since our courts were first organized in 1789, no provision for their retirement was made until 1869.

I will even venture beyond this comparison between state and federal trial courts, and say that, considering the greater number from which its members may be drawn, the greater distinction of the place, and the larger salary attached to it, the Supreme Court of the United States, appointed by the President for life, has not greatly excelled the best supreme courts of our various states, elected by the people for a term of years. That statement must, of course, be understood as I have qualified it; and when so understood, it will not be seriously disputed.

In making his appointments to the Supreme Court of the United States, the President has before him the entire American Bar from which to choose, while in electing their supreme judges the people of every state are restricted to their own Bar. From this larger number the President can, of course, appoint greater judges to the Supreme Court of the United States than the people of any state can possibly elect to their highest court. Nor is the greater number of lawyers available the only advantage which the President in making his appointments enjoys over the people in holding their elections; for a place on the Supreme Bench of the United States is the highest judicial honor to which an American lawyer can aspire, and therefore the very greatest of them accept, though they seldom seek, that position. Besides those two advantages, but less than either of them, the salary, though not a princely one, and not as much as any lawyer qualified for that court could easily earn, is yet much more than the states are either able or willing to pay.

With the nation to choose from, with the highest of all judicial honors appealing to the ambition of our profession, and with a salary sufficient to gratify every rational desire, it is not strange that the Supreme Court of the United States should be composed of the nation's very elect. But great as that court is, the supreme courts of our various states, when all things are duly considered, do not suffer by a comparison with it. Indeed, that great court itself constantly testifies its profound respect for the supreme courts of these states by quoting their opinions to fortify its own opinion.

The federal judiciary itself furnishes an abundant proof that the quality of its judges depends more upon the number from which they can be selected, the distinction of their office, and the salary than upon the method of their selection or their tenure. The circuit judges are superior to the district judges, and the judges of the Supreme Court are superior to both the district and the circuit judges. That difference cannot be due either to the way in which they are selected or to the tenure of their office, because they are all selected in the same way and hold their offices for life.

Exactly the same condition prevails in all the states, for the character and the ability of their judges grade according to the dignity of their courts. Their district judges are superior to their county judges; their appellate judges are superior to their district judges; and the judges of their highest court are superior to all below them. That difference cannot be due either to the manner of their selection or to their official tenure; for they are all elected by the people for a term of years. I realize that we can never safely conclude that certain results are due to certain differences where other differences exist; and it will be difficult, or it may even be impossible, to satisfy any man that the superiority of our federal over our state judges is due to the difference in number, distinction, and salary rather than to the difference in selection and tenure; but I believe that I can find a comparison which will eliminate from our minds all doubt on that question.

Let us compare our federal and our state legislative departments. Here again we find that, as a rule, the federal are superior to the state officers; but we do not find any difference

in the manner of selecting them, or in their tenure of office, because both Congressmen and state legislators are elected for a term of years. We do, however, find the same difference in number, in distinction, and in salary here as we found in the respective judiciaries; and must we not ascribe the same superiority to those same differences? Certainly we cannot ascribe it to differences in the manner of their selection or in their tenure of office, because no such differences exist.

The two senators who represent a state in the Senate of the United States are chosen from that state at large, while each state senator is chosen from a small subdivision of it; and each member of the federal House of Representatives is chosen from a district which includes many of the districts from which representatives in the state legislature are chosen. A county in choosing its member of the legislature can only take the best man in it, but a Congressional district may choose the best man in any one of its several counties.

I do not undervalue our state legislatures, and I know enough about those assemblies to warrant me in saying that the common appraisal of them is much below what they deserve; but according to them the full credit to which they are entitled, the distinction of a membership in them is incomparably less than the distinction of a seat in either House of Congress; and that difference, even if there were no other, will always bring better men into the national than into state legislative service.

The disparity between the salaries of state and federal legislators is much greater than the disparity between the salaries of state and federal judges. State senators and representatives are paid such a beggarly pittance that it does not meet the expenses of decent living while they attend the sessions of the legislature; while our federal Representatives and Senators receive a sum which, notwithstanding the indifference with which some of them affect to regard it, is an ample compensation for their service—so ample, indeed, that a majority of them could not earn in their ordinary pursuits as much as they receive from the public treasury.

These differences fully account for the superiority of our federal Congress over our state legislatures; and I do not hesitate to say that the superiority would be quickly reversed, if

the numbers, the distinction and the salaries were reversed. If the state could select its state senators and the representatives in its lower house from any portion of it; if the honor of a seat in the legislature were greater than the honor of a seat in Congress; if the salaries now paid to Congressmen were paid to state legislators; and if the salaries now paid to state legislators were paid to Congressmen, the character of our state legislatures would immediately advance, and the character of our Congress would immediately deteriorate.

If it be true—and undoubtedly it is true—that our federal legislators are superior to our state legislators on account of the wider field from which they may be selected, the greater distinction, and the higher salary, may we not also conclude that the superiority of our federal judiciary is due to the same reasons, and not to the circumstance that they are appointed, and hold their offices for life?

The assertion that judges who are elected by the people will strive to please the people is not such a grave objection to an elective judiciary as many men suppose; because after all, the most certain way in which a judge can please the people is to do his duty impartially and fearlessly. That judges elected by the people have sometimes responded to the emotions of the people is true; but it is also true that judges appointed by an executive have sometimes yielded to pressure from that executive. I rejoice to say that such misconduct does not often occur in either case; but I am compelled to say that it has occurred in the one case as often as in the other. A judge who would do wrong to please the many who had elected him, would do wrong to please the one who had appointed him; and a judge with manhood enough to defy the executive to whose favor he owed his office, would never corrupt his conscience to conciliate the people.

The occasions on which judges who have been elected by the people have bowed before a storm of popular excitement, have been too rare to justify us in deducing a general rule from them; and viewing their conduct as a whole, it must be apparent to any unbiased mind that the people of these various states have elected their judges with a patriotic discrimination which has done much to justify our confidence in their capacity for self-

government. That the people have made mistakes in electing their judges is true, but it is likewise true that executives have made mistakes in appointing judges; and comparing the number of elections with the number of appointments, the mistakes of the one have not been more frequent than the mistakes of the other.

Acknowledging that our state judiciaries have been singularly free from the vices which are supposed to be inseparable from popular elections, many good men express their great surprise that what they consider a bad system has not evolved bad judges; but to me the reason is obvious. Good judges have been elected in most of the states, because their elections have been largely controlled by lawyers. You may say that this explanation admits that good judges would not have been elected, if the people themselves had controlled their election; but even that suggestion does not successfully impeach the wisdom of the people, because in recognizing that lawyers can be trusted to select their judges, the people have exhibited a high degree of common sense. The average layman understands as well as you and I do that lawyers are generally familiar with the ability and attainments of each other, and therefore know which one of their number is best fitted for the Bench. It will always happen that some lawyers will be more or less influenced by their personal friendships or by their political obligations, but those friendships and those obligations are seldom extensive enough to be controlling, and the merits of the several candidates almost invariably determine the result.

Not only do the lawyers, through their personal and professional acquaintance with the candidates, know better than other people who will make the best judge, but they have a greater interest in the election of good judges than other people, and are, therefore, more certain to exert themselves in behalf of the best men. Their interest may be a selfish one, but this is one of the few instances in which there is no conflict between the selfish interest of a class and the general interest of a community, because every lawyer's success, no less than every citizen's safety, depends upon having competent and upright judges.

Every lawyer of ability desires a competent judge, because he knows that such a judge will avoid frequent and serious errors, thus economizing both the labor and the expense of litigation.

and even the dullest lawyer desires a competent judge, because he knows that an incompetent one is just as apt to guess against him when he is right as to guess for him when he is wrong.

Every honest lawyer desires an upright judge, because he knows that he cannot hope for an honest decision of his cases except from such a judge; and the worst rascal who ever held a license to practise law prefers an honest judge, because he knows that a dishonest one, in order to avert suspicion from himself, will show scant courtesy to lawyers who are not in good repute.

Thus for selfish reasons, even if they were not influenced by nobler motives, lawyers unite in an effort to elect good judges; and the people, appreciating that fact, have permitted the lawyers to act as their agents in selecting the judiciary, reserving always to themselves the right to correct any mistake which the lawyers might happen to make. That plan has worked admirably in the past; but I am not so confident that the one by which it has been superseded in many places will work so well in the future.

Within the past few years, many of our states have adopted the plan of nominating all party candidates, judicial as well as political, at a primary election; and I have myself been an earnest advocate of that plan as applied to political offices in precinct, county, district and state, but I have never believed that our judges should be selected in that way.

It may be freely admitted that a primary election will always nominate a candidate for judge who is personally honest; but that is not enough. To be a good judge, a man must, of course, be honest in dollars and cents; but he must be more than that. He must be honest with himself as well as with the litigants in his court; he must be honest in the sense that he dares always to do what he thinks is right, without pausing to calculate the consequences to himself; he must be honest in the sense that he will unhesitatingly surrender the highest office within the people's gift and retire to the obscurity of private life rather than to sin against his conscience.

It may be also freely admitted that a primary election will always nominate a candidate for judge who possesses good ability; but that is not enough. To be a good judge, a man must not only be able, but he must also be learned in the law; and an

ignorant judge would be as certain to make his office a jest as a dishonest judge would be to make it a by-word. A man may know what the law ought to be without any technical knowledge of it, and such a man can be safely chosen to make the law; but no man can ever properly construe the law until he has made a diligent study of it, for only in that way will he be able to comprehend the relation of its rules to each other, or become imbued with the reason of it.

But even if the primary could always select a man of the highest integrity, of natural ability, and of the greatest learning, an ideal judge must possess still another quality. To serve acceptably in that high office, a man must not only be honest, able and learned, but he must also be courageous. The most pitiful weakling in all this world is the judge who lacks the courage to do what both his brain and heart inform him that he ought to do. The man who is worthy to be a judge must be one who will never flee from any duty; one who will always be ready to meet any crisis; one who will fearlessly face the military or the mob, commanding the one to salute the civil authority, and compelling the other to disperse. Only judges who combine courage, ability, learning and integrity, can preserve for the American judiciary the undiminished confidence of the American people.

Can we hope to secure such judges through the primary election? I doubt it. Not because I doubt the intelligence or the patriotism of the people, but because I am persuaded that the man who possesses those high qualifications will shrink from a contest in which he may be defeated by some less capable, but more popular opponent. Popularity is not to be despised; but it is not a proof of judicial fitness. I do not subscribe to the statement that "a popular judge is an odious person," and I am more than willing that every judge shall crave that popularity which comes as the reward of ability, fidelity and courage; but seeking a popularity which is reducible to votes in a political primary will be most distasteful to the very lawyers who are best qualified for our judicial service.

I am not averse to an active political campaign, and I cordially approve the custom under which candidates for political offices declare their principles in public speeches; for the people

are entitled to know the opinions of the men whom they choose to make the laws under which they must live. But the judge does not make the law, and it is not, therefore, material what he thinks about current political issues. The judge is chosen to serve the people, but not to represent them; he does not translate their convictions into statutes, nor shape the policy of a state. His office is simply to hold the scales of justice even as between man and man, and he should never be forced into a contest which must inevitably engender passions and prejudices which are fatal to judicial poise.

To see two aspirants for an important judgeship engaged in a joint debate, bantering each other with anecdote and ribald jest, is not only a spectacle which must make the judicious grieve, but is also a spectacle which will be certain to deter many of our best lawyers from offering themselves as candidates. No lawyer who is capable of making such a judge as the people are entitled to have, can accept the office without a financial sacrifice; but the greatest of them are willing to make that sacrifice. Many of those ripest in wisdom, however, are not willing to engage in a campaign where the arts of the demagogue and the use of money are such potential factors; and we must make up our minds that unless we withdraw our judicial nominations from these strenuous political primaries, our judges, in time, will be our most skillful politicians rather than our most learned lawyers.

We can expect those who seek our political offices to submit to the disagreeable incidents of a primary election; but we cannot expect that the man who is making a sacrifice to accept a judgeship will do so. All men recognize a difference between a political and a judicial office, and we should recognize a corresponding difference between a candidacy for those offices. No good citizen thinks it improper to urge executive or legislative officers to decide any question before them as he believes it ought to be decided; but no good citizen ever attempts to obtrude his advice upon judges with respect to the cases before them. Just as we may ask the one to decide for us, but not the other, so the one may personally solicit our votes, but not the other. So long as the people themselves exact from a judge a greater circumspection, in his personal as well as in his official conduct, than they do from a political officer, they should require every

candidate for a judgeship to observe a greater decorum in his canvass for the office. If a better behavior is expected of a man when he is in a judicial office, then a better behavior should be expected of him when he is a candidate for that office.

THE METHOD OF ADMINISTERING JUSTICE.

The method by which the American judiciary administers justice happily does not differ in the federal and state courts so widely as the manner of selecting judges and their tenure of office. There are, of course, rules of procedure as various, and almost as numerous, as the different states; but the central principle—the great balance-wheel, as it were, of the judicial machinery—is the same in all of our courts. And if I were called upon to specify the distinguishing excellence of our system, I would answer without hesitation that it is the arrangement which refers all questions of law to the court, and all questions of fact to the jury. I am not, of course, unmindful that some of those who philosophize on government contend that the trial by jury is an effort to democratize the administration of justice, and is, therefore, a hurtful admixture of political theory with judicial function. Even some eminent lawyers maintain that the jury introduces a political element, and therefore an element of uncertainty, into the trial of every case. There was a time in my life when I was almost persuaded to accept that view, because it seemed to me that a trained mind was better qualified to weigh the facts, as well as to construe the law; but years of constant and personal attention to the proceedings of our courts have thoroughly convinced me that the concurring judgment of 12 good men is a safer reliance in the determination of facts than the single judgment of any man, no matter how great his ability or how high his character may be.

In my experience at the Bar, I have seen many juries render verdicts for more than I thought was proper, and I have also seen them render verdicts for less than I thought was proper; but I have seldom seen a jury find for the plaintiff when I thought it ought to have found for the defendant, or find for the defendant when I thought it ought to have found for the plaintiff. That juries often adjust questions of amount by a compromise, and that they sometimes reach their verdict by processes which

the law discountenances, are admitted defects of the system; but with all its defects, a trial by jury is the best method ever devised by the wisdom of men for a determination of the facts in any case.

It is sometimes said that if the trial of all cases, upon the facts as well as upon the law, were committed to a single judge, we would escape the delays of justice which occur from time to time through the failure of juries to agree upon a verdict; but those who will take the trouble to examine the dockets of our courts will find that such delays are so infrequent that they do not justify a serious criticism, and that they are incomparably less than the delays of justice chargeable against our courts.

Our trial judges have fallen into the habit—a habit which, I regret to say, is growing despite its manifest evils—of taking so many cases under advisement that they find themselves with more to do in their chambers than in their court-rooms. Any good trial judge ought to be able to decide a case at the conclusion of the argument, assuming that the lawyers have argued it properly. Certainly he ought to be better able to decide it then, when the impressions made on his mind by the evidence and the arguments are distinct, than when he reaches it six weeks or six months later after having disposed of the others previously taken under advisement, and when those impressions have been almost completely effaced. It is a poor compliment to our judiciary—or else it is a poorer compliment to our Bar—to say that after the lawyers have argued a case for their respective sides, the judge is still unable to decide it.

But much as I value the trial by jury, I do not consider it the only part of our system indispensable to its successful operation. I believe the power of the court to declare the law is as essential to a wise administration of justice as the power of the jury to ascertain the facts; and I would no more withdraw from the court the right to expound the law than I would deprive the jury of the right to determine the facts. The common sense and the experience of the average man qualify him well to weigh the testimony and judge the credibility of witnesses. But the most intelligent layman cannot be expected to know the law, which is often so difficult, and sometimes so doubtful, that even the most learned judges are mistaken about it; and when I see a

lawyer attempting to persuade a jury to ignore the instructions of a court, I feel that he is assailing the very foundations of our judicial structure, and violating the spirit, if not the letter, of the oath upon which he was admitted to the Bar. Not only is it the duty of a juror to receive the law as the court declares it, but it is likewise the duty of every lawyer in his argument before the jury to do so, reserving the correction for the court above, if the court below has misconstrued the law.

When I say that the court should declare the law, I mean that it should declare "the law of the land" as it has been written by the legislature of its jurisdiction, or decided by the highest court; and not that it should declare some vague, indefinite notion of justice cultivated by that particular judge. A few years ago, a statement like that would have seemed almost an insult to the intelligence of an audience like this; but we did not then have with us these modern reformers who insist that our judges shall decide every case according to justice, rather than according to the law, thus implying that justice is not wrought out through the law. That the law cannot do justice in every case is understood by every lawyer; but lawyers also know, what these reformers do not appear to understand, that the cases in which justice fails through a strict application of the law are only the few and exceptional ones which cannot be brought within the wisest general rule. It is sometimes suggested that the court should be empowered to suspend the law in such cases, and decide them according to justice; but the absurdity of that suggestion lies in the fact that it is not possible to classify those cases. If that could be done, then a general rule could be formulated for them, and we would have a perfect system of administering justice—a consummation always devoutly to be wished, but never to be realized as long as the law is the product of imperfect human logic.

But even if the exceptional cases were more numerous than they are, and if justice miscarried oftener than it does, it would still be better that judges shall be required to follow those general rules which have been matured through the patient and conscientious study of great men, through many generations, than that every man should hold his life, his liberty, and his property subject to a judgment varying as one or another man might

happen to preside in each particular trial. A great jurist once said that "the certainty of the law is as important as the justice of it," and while that cannot be accepted in its literal meaning, it stresses a truth vital to the repose of organized society. If there were no established rules of law, no man could know from day to day what he owes to others or what others owe to him; and no lawyer could, with any confidence, advise a client about his rights or his obligations. The best of us could say no more in the plainest case than that it would be decided according to the individual views of the judge who might happen to try it, and the right of appeal would, in a majority of cases, be a barren one. That would involve us at first in legal chaos, and at last in political anarchy.

Not all laws are just, but their correction must rest with the legislative and not with the judicial department. It is for the legislature to make the law; it is for the court to construe the law; and strangely enough, these crusaders who demand that courts shall administer justice without regard to the law are the same men who are always inveighing against what they call judge-made law, apparently unconscious that their demand and their criticism are utterly irreconcilable.

JUDICIAL CONTROL.

The only special feature of the American judiciary which I shall occupy your time in considering is its power to declare that a legislative act repugnant to the Constitution is void. That power, of course, exists in state courts as well as in federal courts, and inferior courts possess it as well as courts of last resort; but in view of the fact that our state constitutions differ in one essential particular from our federal Constitution, it will be necessary, in order to avoid a confusion of thought or speech, to confine myself to the one or the other. State constitutions, I need not say to you, are limitations on the power of the legislative assemblies which they create, while the Constitution of the United States is a grant of power to the Congress which it created; and I shall discuss this question as it relates to the federal Constitution, leaving you of course to understand, as well as I do, that all I say in that connection can, if suitably altered, be said in the other connection.

Ours was the first government in the history of the world so organized as to give its judicial department the power to decide that a legislative enactment is void; and there were those, respectable in character and ability though inconsequential in numbers, who did not in the beginning believe that such a power ought to be conferred on the American judiciary. But when the Constitution was framed, and when it was ratified, it was generally, if not universally, conceded that such a power had been bestowed upon our courts. The controversy over it, however, assumed an almost partisan-political aspect when it was decided, in *Marbury vs. Madison*, that so far as an Act of Congress conflicts with the Constitution of the United States it is void, and the court must so declare it.

That doctrine provoked a violent protest, and was denounced as a judicial usurpation. Some of the wisest statesmen, and some of the most illustrious patriots, of that day joined in assailing both the decision and the court which rendered it; but even the authority of their great names could not prevail against the unanswerable logic of Marshall's opinion, and for a hundred years it was accepted by the Bench, the Bar, and the American people as having settled the question. I do not mean that there were not occasional, and even vigorous, denunciations of it by those in high places during that time; but the acquiescence was so general that even its opponents of the greatest influence never attempted to procure a reversal of it in the courts or a condemnation of it by the people.

Within the last few years, however, there has been a persistent and concerted effort to revive that issue. The chief justice of a great state, aided by some law professors, and by not an inconsiderable number of lawyers, are industriously conducting a propaganda against the doctrine; and at least one speech challenging it has been printed as a public document by the Senate of the United States. The activity of those gentlemen could be safely ignored if they were content to ask a rehearing by the Bench and the Bar of this country, as we might well expect them to do, since it is purely a legal question; but they are making their appeal to the American electorate, whose prejudices they endeavor to flatter with the specious argument that they are striving to prevent a few men—sometimes ungraciously described as “elderly

lawyers"—from usurping a power over all the people; and we must follow them into the forum which they have chosen, to discuss the question upon reason rather than upon authority. We must do that because those gentlemen have poisoned the public mind—or at least they have attempted to poison the public mind—with the repeated assertion that the courts will, of course, sustain their own claim of power, and their decisions on this particular question cannot, therefore, be received with any special deference.

It has been alleged that the Constitutional Convention decisively, and on four different occasions, rejected a provision authorizing the courts to declare any legislative act void, if repugnant to the Constitution. Had that statement come from some ordinary and shallow agitator, I would not have thought it worth a contradiction, but when I tell you it was made in a carefully prepared address by the chief justice of a great state, I am sure you will share my amazement. Not only is he mistaken when he says that the friends of judicial control sought a specific grant of that power; but what makes his mistake more inexcusable still is that they were the very men who most strenuously opposed the proposition which he seems to have misread. That proposition was to join the judges with the executive in the veto, and the two arguments made against it were: First, that the court ought not to be required to pass on legislation as a matter of policy, because that is not a judicial function; and second, that as the court might be compelled to pass on the constitutionality of any given statute after it had been enacted, the judges ought not to be required to express an opinion on it in advance of its enactment. Thus, with the facts before us, we see that one of the main arguments against the power of courts to declare unconstitutional legislation void is really an argument strongly sustaining that power.

No man who is familiar with the history of the Philadelphia convention, can doubt that those who framed our Constitution did so with a full understanding that it prohibits the enactment of unconstitutional laws, and requires our courts to hold all such laws to be without effect. It would unduly tax your patience for me to review all which was spoken in that convention on this question, and I am sure you will accept my word for it when I

say that, so far as we have any authentic record of its debates, only two members of that body unequivocally expressed themselves as opposed to that power. A third member expressed the opinion that "no such power ought to exist," but confessed himself at a loss to find a substitute for it, and subsequently, in a paper advising a ratification of the Constitution, conceded that the power had been conferred. To these must be added Mr. Madison, who, though opposed to "the subordination of the legislature," thought the court might properly be authorized to finally and conclusively determine what he called "judiciary questions"; and I think an examination of all he said on that subject will make it plain that he only objected to giving the court the power to decide what we now call "political questions"—a power which the court itself has never assumed, and has repeatedly disclaimed. Other than those four delegates, every member of that convention who adverted to the question, and many of them did so, declared unequivocally that the courts should have the power to declare every act repugnant to the Constitution null and void.

Turning now to the Constitution itself, we find on the very face of it an overwhelming refutation of the charge that it is inconsistent with a republican form of government for a court to declare a legislative enactment void; because the Constitution explicitly commands all state judges to hold certain legislative enactments void, and exacts from them a solemn promise under oath to do so. The second sentence of Article VI of the Constitution of the United States declares:

"This Constitution, and the Laws of the United States which shall be made in pursuance thereof; and all Treaties made, or which shall be made under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, anything in the Constitution or Laws of any State to the contrary notwithstanding."

The history of that provision will illuminate it better than any analysis which I could make of it, and with your permission I will briefly recite it.

One of the serious defects in the government under the Articles of the Confederation was that the states sometimes refused to execute the laws of the General Congress, and several of them had so far disregarded our treaty of peace with Great Britain

as to bring us almost to the verge of a rupture with that country. Congress, unable itself to nullify the state laws in contravention of that treaty, implored the states to repeal them, even going so far as to prepare the form of a repealing statute, which was transmitted by an official communication to the several states.

That circumstance explains the peculiar phraseology with respect to the supremacy of treaties—a phraseology which has led some men erroneously to suppose that the Constitution does not limit the treaty-making power as it does the law-making power. The different language was intended merely to meet a different condition, and not to establish a different principle. The laws of the new government would, of course, be made under the Constitution which was then proposed, and could, therefore, be “made in pursuance thereof.” Not so, however, with the treaties, because it was the intention that the new government should assume the obligations of, and execute, the treaty of peace with Great Britain, as well as all other existing treaties with foreign nations; and, as they had been made before the Constitution was adopted, they had not, of course, been “made in pursuance” of it, though they had been made under the authority of the United States, for that was the official designation of the government preceding the present one.

Instructed by their experience, it is not surprising that all concurred in thinking that the authority of the new government should be made paramount within the limits assigned to it by the Constitution. Randolph’s plan of government provided that the national legislature should have the power:

“To negative all state laws passed by the several States contravening, in the opinion of the National Legislature, the Articles of Union or any treaty subsisting under the authority of the Union.”

The plan of Pinkney provided that:

“The Legislature of the United States shall have the power to revise the laws of the several states that may be supposed to infringe the powers exclusively delegated by this Constitution to Congress and to negative and annul such as do.”

The plan of Patterson contemplated only a revision of the Articles of Confederation, and yet it provided:

“That all the acts of the United States in Congress made by virtue and in pursuance of the powers hereby and by the Articles

of Confederation vested in them, and all treaties made and ratified under the authority of the United States, shall be the supreme law of the respective States . . . and that the judiciary of the several states shall be bound thereby in their decisions, any thing in the respective laws of the individual States to the contrary notwithstanding."

Hamilton's plan declared that:

"All of the laws of the States contrary to the Constitution or laws of the United States shall be utterly void."

And as a further assurance of federal supremacy it provided that the general government should appoint the Governors of the several states, who should have a veto on all state laws.

It was even proposed more than once that the general government should be given the power to negative all state laws without regard to whether they were contrary to the Constitution or the laws or the treaties of the United States, and some of the ablest men in that convention cordially supported that proposition; but as the debate proceeded it became apparent to the delegates that such a power, if conferred on the general government, would ultimately destroy every vestige of states' rights, and it was rejected. But the convention was so thoroughly impressed with the necessity of protecting the authority of the new government against contravening state enactments that they applied themselves to the task of finding a way to do it; and with a practical unanimity they agreed upon the clause which I have read to you.

Confronted with this definite and positive requirement that all state judges shall hold state laws and even state constitutions void in certain cases, no man should discredit his intelligence and candor by saying that a republican form of government will not permit a court to pronounce the acts of a legislature void.

In this provision requiring state judges to hold state constitutions and state laws void, if they conflict with the federal Constitution or federal laws or federal treaties, there is an implication which seems to have escaped many of these gentlemen who assert that there is not a line in the Constitution which requires, or even authorizes, any court to annul a legislative enactment. The supremacy of the Constitution of the United States is made absolute; but the laws of the United States are made

supreme only with a most important qualification. State judges are not required to enforce all federal laws against state constitutions and state laws, but only such federal laws as are "made in pursuance" of the Constitution. Therefore, the Constitution plainly requires a state judge to pass upon the constitutionality of every federal law which is alleged to be in conflict with a state law. That must be true, because otherwise state judges would be compelled to disregard a state constitution or a state law against which a federal right was asserted without considering that very important qualification which gives a federal law supremacy only when "made in pursuance" of the Constitution. It would be obviously impossible for a judge to decide any case where a right was claimed under a state statute and a defense made under a conflicting federal statute, or *vice versa*, without determining whether the federal statute was "made in pursuance" of the federal Constitution; because unless it was so made, it is not "the supreme law of the land," and it could not invalidate the state statute. In such a case, if the federal law was "made in pursuance" of the federal Constitution, then the court would be compelled to declare the state law void; and if the federal law had not been "made in pursuance" of the federal Constitution, the court would be compelled to declare it void in order to sustain the state law. But in either event, the court would be compelled to declare one or the other law void.

I have not, of course, overlooked the fact that the special provision which I have been emphasizing is addressed to the judges of the several states, and not to the judges of the United States; but that provision is followed immediately by another, which compels all federal judges to swear that they will support the Constitution of the United States. How can any judge keep his oath to support the Constitution unless he gives effect to its declaration that it is the supreme law of the land; and how can he give effect to that declaration unless he disregards all laws which contravene the Constitution?

Let us put the question to a practical test, and suppose that Congress had enacted a law granting to John Doe the homestead of Richard Roe, and that, Richard Roe having refused to surrender his property, John Doe instituted a suit to recover it.

When that case finally reaches the Supreme Court of the United States—and it must be remembered that the Supreme Court never passes upon the validity of any law except when required to do so in a case properly brought before it—the record will disclose that John Doe had declared on the Act of Congress, and that Richard Roe had plead that provision of the Constitution which guarantees that no person shall be deprived of his property without due process of law. The case is before the court and must be decided. The Act of Congress plainly gives Richard Roe's property to John Doe; but that act is plainly forbidden by the Constitution, because without the shadow of a doubt a legislative transfer of one man's property to another is not due process of law. Both the Act of Congress and the Constitution apply to the case; but both cannot be applied to it. What shall the court do? Suppose that question was submitted to an intelligent layman. How do you think he would decide it? He might know nothing about the division of power between the general government and the states; he might know nothing about the distribution of federal powers among the several departments; he might know nothing about the theories of legislative omnipotence or judicial control; but he would know that having taken an oath to support the Constitution as the supreme law of the land, he could not, without violating that oath, enforce any Act of Congress which violates the Constitution. That is the moral view which an intelligent layman would take of the question; and it is the legal view which all judges must take of it.

Turning now from the Constitution, let us consider the political aspect of this question, and I think I can demonstrate that, according to the maxim that "the will of the people shall prevail," the doctrine of judicial control is unassailable. When a law of Congress conflicts with the Constitution of the United States we have the will of the people expressed in two different forms; for certainly nobody will deny that the Constitution expresses the will of the people, and I will not deny that the statute also expresses the will of the people. If that stated the whole case, I would abandon the argument, because the statute, being the last expression of the popular will, might well be received as the controlling one. But that does not state the whole case, because the Constitution is the more deliberate will

of the people, and deliberation is vastly more important than precedence in time.

The Constitution of the United States was framed, as all men know, by the most intellectual body of patriots who ever assembled to perform any given work; and they spent months proposing, debating, and amending almost every sentence in that great charter. It was drawn with a care unprecedented; and when completed it was submitted to the people for their approval through representatives especially selected for that purpose. It was subjected again to the most exhaustive consideration in the conventions of the various states which ratified it, with the result that, in compliance with the demand of these states and out of an abundant caution, ten amendments, in the nature of a bill of rights, were added to it. Other amendments have been added to it, but not one of them alters a single original principle embodied in it. The Eleventh Amendment was intended to correct what was believed to be a judicial misconstruction, and the other amendments, except the three which grew out of the war, relate to methods rather than to principles. The Constitution thus represents the will of the people twice and deliberately expressed.

With these uncontroverted and incontrovertible facts before us, we must realize that when called upon to decide between the Constitution and a statute in conflict with it, the question, in this aspect at least, is, Shall the will of the people as expressed after grave deliberation in their Constitution, or the will of the people as expressed in a statute, be executed? I will not say, as others might feel at liberty to say, that Congress is as apt to misrepresent as it is to represent the will of the people; nor will I stigmatize that body by saying, as can too often be justly said about it, that it legislates with much haste and with little care. But allowing to an Act of Congress all of the weight to which it is entitled as an expression of the people's will, the Constitution is entitled to still greater weight; and where the statute and the Constitution both cannot be sustained, I would, if there were no other reason, unhesitatingly decide in favor of the Constitution, as the most deliberate expression of the people's will.

There is another and a very decisive reason why the Constitution, still considered in a political sense, should prevail over a statute. The Constitution is not only the deliberate will of the people, but it is the compact by which every man has agreed to be governed. It is the covenant which the majority made with the minority, and with all the people, that certain fundamental and inalienable rights shall not be subject to legislative control. That Constitution provides for its own amendment, and its safeguards may be thus destroyed; but even against that action it interposes a valuable security by providing that it can only be amended by resolutions supported by two-thirds of each House, or on the application of the legislatures of two thirds of the several states, when ratified by three-fourths of all the states. Under that substantial guarantee, every man in the United States, from the greatest to the humblest, holds his life, his liberty, and his property above legislative spoliation, and a Congress created by the Constitution has no moral or legal right to abrogate the limitations on its own power.

There is still another, and a very cogent, argument supporting the view that no statute opposed to the Constitution can be sustained; and that argument arises out of the very purpose of a written constitution, which was, and is, to restrict the power of our agents and representatives. We adopted a written constitution because we are not willing for the living to govern us except within certain limitations, and not because we believe that the dead have any right to govern the living. But to what purpose shall we write our constitutions, if, after we have written them, those whose power they are intended to limit may ignore their limitations? Our fathers were not so stupid as to think that they could secure their own freedom and the freedom of their posterity by limiting the power of our representatives, and then leaving these representatives the sole and final judges of the limitations on their power.

I do not underestimate the force of the argument against vesting in one department of the government an authority to annul what another department has done; but I consent to that as the lesser of two evils. We must leave Congress the exclusive judge of its own powers, or else confide the right of final judgment on its acts to our courts; and whatever may be the objec-

tions to judicial control, they are infinitely less than the objections to legislative omnipotence. Since we must have a final judge, that power can be more safely trusted to the court than to the Congress, for it cannot be an invidious comparison to say that, in average ability, the Supreme Court of the United States is, at least, equal to the Congress of the United States; and as the judges of that court have devoted their lives to a diligent and uninterrupted study of the Constitution and laws of their country, they must know better how to judge between them. They are far removed from those political passions and prejudices which make the preservation of a free government the most stupendous task of all the ages; they have no patronage with which to reward their followers, and no partisans to sustain them, right or wrong; they have no interest except in common with their countrymen, and no ambition except to leave behind them an honored name. Of all men in this world they have the least temptation to do wrong and the greatest incentive to do right. They are not infallible, and they make their mistakes, but they make fewer mistakes than other men; and so long as they can guard the Constitution of this republic, it will protect the lives, the liberty, and the property of the American people.

CHANGES IN INTERNATIONAL LAW.

BY
SIMEON E. BALDWIN,
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Changes in international law, as they may occur from time to time, will always be of especial interest to the United States. We were the first power to recognize in the constitution of our government the existence of such a thing as international law, and the duty of enforcing it. That instrument, it will be recollected, declares that Congress shall have power to define and punish "offenses against the law of nations." Under this provision, our Supreme Court has said: "A right, secured by the law of nations to a nation or its people, is one the United States as the representatives of the nation are bound to protect." It is not necessary for Congress in passing a statute to punish an offense against that law, to declare it to be an offense against it. That it is such an offense is to be determined by reference to the law of nations itself. Congress simply gives it a further buttress.¹

Whatever international law may mean to other peoples, therefore, to us it is and always has been an acknowledged body of authoritative rules entitled to enforcement by the United States.

It is an unwritten law. Just as the unwritten common law has been made by the people who allowed themselves to be governed by it, so the unwritten international law has been made by the peoples who have allowed themselves to be governed by it. It has grown from century to century. It has spread from nation to nation, until all the civilized world treats it with respect. It has been subject to the cosmic law of evolution. Had it not been, it would not be to-day a vital force. All life is change. Law, as the Supreme Court of the United States has said, speaking by one of our former members, is "to a certain extent a progressive science." . . . "While the cardinal principles of justice are immutable, the methods by which justice is administered are subject to constant fluctuation."²

¹ *United States vs. Arjona*, 120 U. S., 487, 488.

² *Holden vs. Hardy*, 169 U. S., 366.

Nor can we forget also that changes in law are not always improvements. They will reflect the existing conditions of human society, whatever these may be; and human society may have changed for the worse, or, if unchanged, men may have become satisfied that laws have been adopted which set the standard too high for practical efficiency.

The processes of physical evolution do not always result in general physical advancement. The processes of moral evolution do not always result in general moral advancement. The processes of legal evolution do not always result in better laws. All this is inevitable.

Goethe says in *Faust* that

"He only deserves liberty or life who must conquer them daily anew."

The world only deserves a common rule of law—a law of nations and for nations—by conquering it daily anew. It does not stay conquered. It must daily express the necessities of the day. It must change as the conditions change on which it acts.

The United States, from their first foundation, have been among the leaders in promoting changes in international law.

In 1784, the Continental Congress, under the Counsels of Jefferson, gave certain instructions to our ministers abroad, to be followed in negotiating all commercial treaties. One was to propose the abolition of privateering. Another was to propose that fishermen, farmers and artisans or manufacturers "unarmed and inhabiting unfortified towns, villages or places, who labor for the common subsistence and benefit of mankind," should not be molested in time of war. Another was that contraband goods on the vessels of either of the signatory powers should not be confiscated, but only commandeered on paying their full value.* Most of these provisions were, the next year, incorporated in our first treaty with Prussia, part of which is still in force. It was the most advanced treaty, in the direction of human brotherhood, up to that time concluded between any powers. Similar stipulations were also embodied in a projected treaty negotiated with Portugal, but this was never ratified.

* *Secret Journals of Congress*, III, 452, 456, 483, 484.

This American proposition, so far as fishermen are concerned, may certainly be deemed to have resulted in an alteration to that extent in the rules of international law, by subsequent recognition of the principle by nations generally.*

President Monroe in his message to Congress in 1823, containing the announcement of the "Monroe Doctrine," informed them also that he had instructed each of our ministers to France, Russia, and Great Britain, to propose to the power to which he was accredited the abolition of privateering by international agreement, and the establishment of a "permanent and invariable rule in all future maritime wars" that no ship of war would molest any merchant ship, whether owned by a belligerent or a neutral, except for "breach of a lawful blockade."

Nothing came of this at the time, but it was one of the circumstances which led, a generation later, to the declaration of Paris. By this, it will be recollected, in 1856, privateering was declared abolished. The United States, Spain, and Mexico, have not, as yet, formally accepted this declaration, but they have acted in practice, ever since that year, as if it were international law, and that it is, may, I think, now fairly be assumed.

In 1868 we engrafted on the law of nations the principle that every man has a right to change his nationality.[†] This, while contrary to the earlier decisions of our courts and opinions of our public men, was an inevitable result of the facility of passing from one country to another, which is possible and indispensable to modern commerce, and indeed has created it.

In another direction, the achievements of modern discovery have likewise imposed new conditions of maritime warfare. They have varied the reasons which dictated one of the ancient rules of international law, and so required a variation of the rule. I refer particularly to the extent to which the law of blockade has been subjected to changes, in consequence of the invention of steamships. A single steamer may be sufficient to make the entry of a wide-mouthed harbor dangerous, when a single sailing vessel would be entirely incompetent to effect this.[‡]

*The Paquete Habana, 175 U. S., 677.

†U. S. Revised Stat., Sec. 1999.

‡The Olinda Rodrigues, 174 U. S., 516.

Has, from similar causes, the territorial extent, seaward, of maritime powers been increased by improvements in modern artillery?

National sovereignty has long been deemed to extend a marine league from the shore. This limit was adopted because to that distance the cannon of a littoral power could, at that period, under ordinary circumstances, enforce its commands. For the cannon with an effective range of only a marine league we have now substituted one with an effective range of 20 miles, or more.

What is now meant by the phrase "within a cannon-shot"?

In our treaty of 1794 with Great Britain, it is stipulated (Art. XXV) that neither power "shall permit the ships or goods belonging to the subjects or citizens of the other to be taken, within a cannon shot of the coast," and if its "territorial rights shall thus have been violated," it shall use its utmost endeavors to obtain satisfaction from the government of the captor.

Provisions of this kind call for interpretation, and the argument has certainly much force that this interpretation must be determined by the reason of the thing. A littoral sovereign, with cannon that can hit a ship 20 miles away with reasonable certainty, would hardly be justified for not using them to protect the rights of friendly commerce or visitation along his coasts.

But may a belligerent power have the right, under modern conditions of maritime warfare, to mark off a portion of the high seas, outside of the range of any cannon shot discharged from the shore, and either prohibit its use for commercial navigation by the subjects of other powers during the continuance of hostilities, or limit the manner of such use?

Most of the older maritime nations have, from time to time, set up claims of sovereignty over certain littoral waters, otherwise forming part unquestionably of the high seas. The contest as to closed seas and open seas—the *mare liberum* or *mare clausum*—was a warm one, before international law really became a science. England's claim to maritime supremacy over the "Narrow Seas," that is, the waters dividing her from the continent of Europe, was harshly enforced against the Dutch until a Dutch sovereign was on the English throne. She insisted upon it, as against the United States, as late as 1803.¹ This was an incident

¹ Wharton, *Elements of International Law*, II, 2, 163.

of the long-standing dispute between the two powers as to England's claim of right to seize English sailors on foreign ships and impress them for service in the English navy. A convention had been practically arranged at London by our minister, Rufus King, in 1803, by which Great Britain was to relinquish this claim. At the last moment she insisted on excepting all rights as to American ships sailing in the Narrow Seas. This reservation our minister refused to consider, and the affair was broken off in consequence. He did not miscalculate its importance. When John Quincy Adams, then our minister to Russia, some years later, heard of our declaration of war against Great Britain, he said: "The war hangs upon a single point; and that is impressment."

The closed sea, it will be recollected, if there ever was one, was closed at all times, in peace as well as in war. It belonged mainly to the class of commercial restrictions which were imposed to support a monopoly of trade.

But while, for more than a hundred years, the old doctrine of closed seas has been universally abandoned, a new doctrine of closed areas of sea, by the act of a belligerent in time of war, has found considerable support. These have been termed "war areas," "military areas," "strategic areas," "war zones," "areas of operations" or "defence sea areas."

Some color for this practice may be claimed from the great treatise of Grotius on the law of war and peace. The empire, he says, over a part of the sea may be gained in a similar way to that on which the empire over land may depend: by having a fleet or maritime army stationed there, or if off a sea coast by its being commanded by the guns of the littoral sovereign.*

Vattel takes a view somewhat more favorable to the segregation and appropriation of part of the seas, but remarks that if a nation, without a title, arrogates to itself an exclusive right to the open sea and supports it by force, it does an injury to all nations whose commerce it violates.*

Let us look back for a century to see whether there is any ground for the position that international law has undergone a

* Grotius *de Jure Belli ac Pacis*, II, 3, 13, 2.

* Vattel, *Law of Nations*, I, XXIII, Secs. 283, 289.

change in this respect, and become more favorable to the creation of a temporary *mare clausum* in time of war by one or more of the belligerents.

Two of the great powers, soon after the nineteenth century came in, marked off such a closed sea, and their courts have maintained the validity of such action as against the subjects of neutral states engaged in ocean trade.

In May, 1806, a British order in council declared the European coast from the Elbe to Brest under blockade. In the following November, by the Berlin decree, Napoleon declared the British islands to be in a state of blockade.

In January and November, 1807, Great Britain promulgated further orders in council, forbidding neutral commerce with France and any of her allies; and in December of the same year the Milan decree of Napoleon reiterated his first pronunciamiento from Berlin.

Each power defended its action as retaliatory, and the English prize courts supported the orders in council mainly on that ground. The ministry took the position in the House of Commons, in speaking of the whole series of them, from 1806 to that of April 26, 1809, that they were not in accord with the existing law of nations, but were defensible as a just and necessary extension of that law—necessary because France had violated it first.¹⁰

Without such a reason, during the War of 1812, Great Britain took a similar position in regard to parts of our Atlantic coast. Our Secretary of State, John Quincy Adams, alluded to this in 1817, in a dispatch to our minister to England, in these words:

So irresistible is the tendency of precedent to become principle in that part of the law of nations which has its foundation in usage, that Great Britain, in her late war with the United States, applied against neutral maritime nations almost all the most exceptionable doctrines and practices which she had introduced during her war with France. The maritime nations were then, too, so subservient to her domination that in the Kingdom of the Netherlands a clearance was actually refused to vessels from thence to a port in the United States on the avowed ground that their whole coast had been declared by Great Britain to be in a state of blockade.¹¹

¹⁰ Adams, *History of the United States*, V, 61.

¹¹ Moore, *International Law Digest*, 800.

President Madison, in a proclamation issued June 29, 1814, described this measure as "destitute of the character of a regular and legal blockade, as defined and recognized by the established law of nations, whatever other purposes it may be made to answer." The treaty of peace with Great Britain, soon afterwards negotiated, contained no provision in reference to the validity of the proceedings. Our attitude towards any such extension of the right of interfering with neutral trade continued the same, and there was soon an occasion to assert it.

In 1816, Spain declared a blockade of a part of the ocean near Carthagena, of some 3000 square miles in extent. We refused to accept it, our Secretary of State, James Monroe, saying that there can be no blockade which is not confined to particular ports.¹³

Blockades not so confined, but extending to areas of the high seas, were however declared by Great Britain in 1854 and 1897, and by France in 1870, 1893, and 1896.¹⁴

With these precedents before it, the Japanese government, in 1904, promulgated an ordinance giving the naval department power, in case of war, to designate a part of the seas off the coast as a "defence sea area," and close it to commerce. Twelve such areas were thereupon so created, marked off by degrees of latitude and longitude.

Her official regulations for captures at sea, of March 15, 1904, forbade, however (Art. II), captures "in neutral waters clearly placed by treaty stipulations outside the zone of hostile operations." Blockade was defined as including the right to close an enemy's coast with force, and as being effective when the force is strong enough to threaten any vessels that attempt to approach the blockaded coast.¹⁵

By these proceedings of Japan, the leading power of Asia has pronounced in favor of the validity of zones of exclusion, other than ports and harbors, created by a belligerent, in restraint of

¹³ Moore, *Int. Law Digest*, 800; Atherley Jones on *Commerce in War*, 126.

¹⁴ Atherley Jones on *Commerce in War*, 158, 172, 181, 183.

¹⁵ See *Proceedings of U. S. War College for 1912*, 122, and Takahashi on *International Law as applied to the Russo-Japanese War*, 359, 360, 778, 781, 789.

neutral trade. She thus virtually affirmed, ten years ago, that the law of nations had been so changed as to permit what, prior to the acts of England and France in 1806, was generally considered as forbidden.

Her action and the general question involved were the special subject of discussion at our Naval War College in 1912.

Stated in form, the proposition before it was thus expressed:

A belligerent may be obliged to assume in time of war, for his own protection, a measure of control over the waters which in time of peace would be outside of his jurisdiction.

In the course of the discussion this pronouncement was formulated as in his judgment sound, by one of our most distinguished scholars in international law: "

The definition of the area of operations of a blockade, even if in such a manner as to include a large range of high seas, is regarded as a legitimate act of war, and the belligerent right is respected. The principle which is recognized is that the belligerent has the right to put pressure on his opponent, without interference by neutrals. It is undoubtedly an inconvenience and may be a loss to neutral commerce to be excluded from the blockaded area, but it is a recognized consequence of war.

The result of the conference was the adoption of the view that if such a strategic area were designated by a belligerent as for the time closed to commerce, the commander of a neutral man-of-war, if appealed to to escort one of his country's merchant ships through it, should decline, and should advise the master of the merchantman to keep out of it."

This conclusion of the discussion has, of course, no binding force upon the United States. It is important, however, as a matter of intrinsic weight, in view of the insistence on the war zone theory, and the practice under it of Great Britain, Germany, and Italy, in the present European wars.

It will not be forgotten that a blockade of the old type is quite a different thing from a "war zone" of the new type.

Such a blockade is designed to shut up a particular port. Such a war zone is designed to exclude because it endangers entrance into a particular part of the high seas.

" Professor George G. Wilson.

" Proceedings of the Naval War College for 1912, 117, 128, 129.

Any neutral vessel breaking a blockade takes the risk of being captured and condemned. Any neutral vessel entering a war zone, if the doctrine be once admitted that such a military area can be effectually created, as respects neutral powers, may be in peril of being stopped and seized, if not of being sunk.

Supporters of the new doctrine, in other words, maintain that the neutral ship which enters upon what she knows to be the special military area of active operations on the sea, is in a similar position to a neutral traveller who in a country which is the actual seat of war, enters upon what he knows to be a special military area of active operations.

In October, 1914, Russia delimited a war zone on the seas off her coasts, in which she proposed to place concealed bombs and torpedoes, and in November the British Admiralty announced that the whole of the North Sea would be considered a "military area" for like purposes.

At the Hague Conference of 1907 the special committee on submarine mines reported in favor of a limit for laying them of three miles from shore, or if laid in front of military ports, ten miles, but with the exception of creating "danger zones" in waters beyond these limits, when the sphere of immediate naval activity. The conference struck out these limitations."

On February 4, 1915, the German Admiralty issued an order declaring that "the waters around Great Britain and Ireland, including the whole English Channel, are declared a war zone from and after February 18, 1915"; that every enemy merchant ship found in this war zone would be destroyed; and that neutral ships entering it would be in danger. A similar zone was likewise constituted in a strip of at least 30 miles in breadth along the Dutch coast.

Against this step the United States promptly made a protest, and Great Britain issued several retaliatory orders in council. The main one of these, published in part on March 15, 1915, prohibited all commerce with Germany after a certain date, and provided for the seizure of neutral merchantmen engaging in such trade. This was not called a blockade, and that which Germany termed a "war zone" was referred to as a "military area."

" Scott, *The Hague Peace Conferences*, I, 582, 829; II, 480.

Against these measures the United States at once protested; not failing to refer to the fact that in one sentence the order claimed a right pertaining only to a state of blockade, and in another proposed to proceed as if there were no blockade.

It should be noted that Great Britain, in taking her action, referred by way of justification to the conclusions of our Naval War College in 1912.

Italy, in June, 1915, issued a decree declaring the whole of the Adriatic Sea a war area.

All the great powers, except the United States, have thus created, from time to time, military areas of sea; but generally against the protests of neutral sovereigns, including the United States.

The American position in regard to the use of torpedoes in them, as announced in our note to Germany of July 21, 1915, is, first, that our government "is not unmindful of the extraordinary conditions created by this war, or of the radical alterations of circumstance and method of attack produced by the use of instrumentalities of naval warfare, which the nations of the world cannot have had in view when the existing rules of international law were formulated"; but, second, that submarine operations, within a "so-called war zone" on the high seas, can and should be conducted in substantial accord with the practices of regulated warfare accepted before the submarine reached its present point of development.

It is probable that some of these points will soon be brought before the Hague tribunal. Great Britain, in her note of July 31, 1915, to our ambassador, has intimated her readiness to assent to a review of that nature, of any judgment of her courts based on Orders in Council claimed by us to derogate from the principles of international law; and yesterday's newspapers show that we have virtually agreed with Germany on a similar disposition of the question whether those principles justified the sinking of the *William P. Frye* on the high seas.

This discussion would be incomplete without reference to a suggestion recently made by one of our associates that our immense coasting trade calls for a safety zone around the two Americas, extending far beyond cannon shot from the shore, into which no belligerent ship should have the right to enter on a

hostile errand without incurring the peril of internment."¹⁸ A war zone, in other words, might come to be deemed desirable by neutrals as a shield, and so created by them against the belligerents, instead of, as now, by the belligerents against them.

There is no time to speak of other changes in the law of nations which have, from time to time, been attempted, and in some cases with ultimate success, such, for instance, as giving, under our lead, within a hundred years, to the slave trade, formerly a lawful traffic, the brand of piracy.

No form of human law can endure which is not capable of amendment. To the law of nations change comes slowly, for it must be the act of many different peoples. It will change irregularly and in detachments. Macaulay has observed that there are in the administration of government two kinds of wisdom: the highest wisdom, which is conversant with great principles of political philosophy, and a lower wisdom, which meets daily exigencies by daily expedients.

In respect to the development and application of international law, these two kinds of wisdom often come in conflict, and when they do, it is seldom the higher that controls. Nations are self-centered. Each views rules of international conduct mainly as it is itself, at the time being, affected by them. And back of all, at all times, we must reckon with the impulses of self-preservation. In the eloquent words of our late associate, Frederick R. Coudert, "Self-protection and self-preservation constitute the corner stone of modern international law. This instinct is as strong in communities as in individuals, and will, when aroused by real or imaginary perils, sweep away forms and law, as worthless incumbrances, if they interfere with their first duty and most valuable right, the duty to resist aggression, and the right to live."¹⁹

¹⁸ Paul Fuller, in the *Annals of the American Academy of Political and Social Science*, LX, 157.

¹⁹ Coudert, *Addresses*, 126.

THE LAW AND THE LAW SCHOOLS.

BY

FELIX FRANKFURTER,
OF MASSACHUSETTS.

Public opinion, the dominant factor in our national life, is also the most elusive. History is witness to the inherent difficulties and constant errors of contemporary judgments of the temper of a period. Occasionally, however, the intellectual tendency of the present is revealed as marking the culmination of a prior era. Apparently we are, for the moment at least, at the end of a period of agitation and wholesale criticism. The very term "muck-raking" is passing into disuse, and with it those energetic movements which produced its modern meaning. But this agitation has had a sound basis; it has not been fomented by irresponsible malcontents. Much of it has been crude, much has been indiscriminate. But the early expression toward any national betterment takes a rough-hewn form. However crude, however intemperate, however unjust in this or that detail, this great protest has had at its core a justifiable endeavor against remediable evils. Senator Root's speech before the New York Constitutional Convention the other day will help to give proper perspective toward an agitation which may at times have offended us. He said:

"Let us bear in mind that there has been abundant cause for complaint. I have been in public life for 40 years and during that time the government of the State of New York has been about as representative and responsible as the government of Venezuela. Now the time has come when invisible government should give way to government that is accountable and responsive."

Senator Root thus soberly teaches us to analyze the aims back of this agitation, and not with passion or prejudice merely to denounce it. It is but natural that when social ills, and legal and political inadequacies, are surged against in a storm of protest, some of the protestants will offer hastily constructed and superficial remedies. But it is not sufficient for us merely to denounce as shallow or bungling or even evil such remedies as the recall of judicial decisions, the recall of judges, or what

not. We must study causes. The times call for a searching diagnosis which may disclose deep-seated difficulties—difficulties needing correctives produced only by patient study and designed adjustment—difficulties responsive neither to quack remedies nor to quick remedies.

For something has happened; something is happening. We are in the midst of a changing set of ideas; we are living through a change in direction; and a change in the thought and attitude of a people toward its national life must necessarily affect, as it always has affected, a large body of existing law.

We are not consciously the creators of these changes. Our changing opinions have been mostly effects, not causes. The fifty years since the Civil War have brought almost magical industrial growth. A vast nervous system of telephones and telegraphs has electrified our scattered country into one self-conscious unit. Radiating railroads have been the muscles which have pulled into a co-ordinate and articulate body the detached and sprawling members of our great domain. The concentration of life and activities in cities has scattered working ganglia throughout the nation. All these new physical forces, and the social changes which they produce, have brought increasing complexity in the problems of life. At the same time there has been a growing sense of obligation and increasing inventiveness to cope with these problems. Progress in education, growth of the scientific spirit, accumulation of scientific data affecting society, the advent of the specialist, national self-consciousness, social self-consciousness, have also come with these fifty years.

What does it all mean? Does it not mean that we are in the very midst of a definite shift of emphasis from individualistic ends to co-operative ends? Does it not mean that society is coming to the belief that the social purpose is to be attained not through individual self-assertion only, but through the conscious organization of society for social ends, guided by science and inspired by the democratic faith? Did the Marquis of Lansdowne, the Tory leader, have this in mind when he said before the Lords recently, "the old go-as-you-please system has broken down completely"?

And what of the law? These changes in the physical, economic and social aspects of life, all this new vast mass of facts,

are necessarily so much raw material for the law. The finished product should be the legal means for accommodating the various interests of life. For law is not outside of life; it is part of it. The purpose of law, Justice Holmes has been one of the first to tell us, must be found in some help which law brings towards reaching a social end. These radical changes in the facts of life and in the attitude of our people present one of the greatest challenges ever thrown down before our common law system. A body of law adapted to a sparsely settled and primarily agricultural country, with a fairly homogeneous population, with comparatively few disparities of wealth, has suddenly and sharply been confronted with the task of adjusting itself to a vast democracy, drawn from many peoples, a nation containing thirty million wage-earners, with increasing pressure of conflicting interests. When our courts encountered these problems and applied, without elasticity or adjustment, old ideas to new facts, there was bound to follow dissatisfaction not only with specific decisions but with the legal system itself. This fed the movement to tinker with the system, to attribute the causes for dissatisfaction largely to individuals, to throw the whole system overboard and start anew. Experience, however, has taught us to look deeper into causes. We now see more clearly that the difficulty is not primarily with the individuals who administer law, but with the accepted ideas consciously or unconsciously expressed by law.

Nor has the law been metallic. It has during the last decade clearly begun to respond to the temper and ideas and needs of the times. We are witnessing changes practically in the whole domain of the law—from procedural law to property, the branch of law which, one would suppose, age cannot wither. The reports during the last few years teem with illustrations. Take the United States Supreme Court. Compare the opinion of that court annulling the New York ten-hour law for bakers with its opinion, at the last term, upholding the California eight-hour law for women, and you will find not so much a reconcilable difference of decisions upon two statutes, as a radical difference in mental attitude—you will find a marked difference in point of view towards the need of governmental activity in meeting the problems of the modern state. The difference spans a decade.

Take the Court of Appeals of New York. That state affords perhaps the most striking proof of a change in emphasis, of a modification, in those beliefs, mostly inarticulate, which largely determine judicial opinions. In 1907 that court animadverted upon the growing legislative activity of the time, emphasized the function of the courts to serve as barriers against such legislation, and declared unconstitutional a statute prohibiting night-work for women. In 1915 the court expressly overrules that decision, recognizes the need of legislation for social ends, and refers to the economic and social facts justifying such legislative action.

Another example of a change in the point of view of courts is found in their present attitude towards the distribution of governmental functions. The law books continue to repeat as immutable doctrine that there can be no delegation of legislative power, but the Supreme Court sustains the tremendous power given by Congress to the Interstate Commerce Commission. Of course, the form of non-delegation may be preserved by dialectics, but the effect of the court's decisions is to recognize the pressure of economic facts and give the commission substantial control over interstate carriers. Within a decade throughout the country, in increasing variety of administrative commissions with what amounts to legislative power have been created. This means, in effect, the application of technical knowledge, developed by authoritative investigation and fair hearing, to modern complex industrial conditions. The creation of these commissions and the exercise of their power have, broadly speaking, been sustained by the courts as proper instruments for achieving appropriate ends.

So far as control over public utilities is concerned, it is only the machinery which is new. The principles of law supporting such control can be found in the Year Books. The machinery for exercising such control cannot be found in the Year Books. Means for making control effective have had to be devised. As a result, problems of law enforcement, the relation of administrative action to legislature and courts, have brought to the fore a cloud of important questions calling for separate treatment as a substantially new branch of law in this country—administrative law.

The need for legislation has been amply responded to. Of making statutes there is no end. We have had a mass of legislation, some wise, some very foolish. Yet this mass of legislation, ill-considered and well-considered, apparently at times haphazard and piecemeal, constitutes on the whole, as Mr. Jethro Brown has shown, a body of law with common aims and a set of underlying principles.

But present conditions demand much more than new machinery, devised by legislation, for the effective application of old principles. And, to the extent that statutes effect changes in the substantive law, judicial decisions should not be uninfluenced by the reasons back of this legislation. For statute law and law developed through judicial opinions are, in reality, but two sides of the same activity. The two should harmonize. Both should express the same underlying premises, the same ends sought to be achieved by law. Particularly, in this country (passing for the moment the British self-governing dominions), in the last analysis, the whole field of law is for judicial development, because of the reviewing power of the courts.

These are conditions which demand new premises to fit the accumulation of new facts, from which to formulate new legal principles, just as the law, flexible common law, in Mansfield's day, absorbed the customs of merchants.

What have we done to work out new premises to fit present needs? To apply tried methods to new problems? To test new difficulties of adjustment by past experience? To remove what is obstructive or wasteful in old principles or old applications? Said Maitland a few years ago:

"Are we facing modern times with modern ideas, modern machinery, modern weapons? I wish that I could think so. Some of our ideas seem to be inadequate, some of our machinery seems to me cumbrous and rusty, some of our weapons I would liken to blunderbusses, apt to go off at the wrong end."

What answer has this country for Maitland? Listen to one whose devotion to our legal system is best measured by the greatness of his contribution to it:

"Jurisprudence," writes Roscoe Pound, "is the last in the march of the sciences away from the method of deduction, from predetermined conceptions. The sociological movement in jurisprudence, the movement for pragmatism as a philosophy of

law, the movement for the adjustment of principles and doctrine to the human conditions they are to govern rather than assumed first principles, the movement for putting the human factor in the central place and relegating logic to its true position as an instrument, has scarcely shown itself as yet in America."

Thus spoke Roscoe Pound in 1909. What has been accomplished? What further can be done? Can the law schools and law school teachers contribute anything?

As we have seen, the modern social conceptions have already begun to affect our courts. But this immense work of readjustment, the task of assimilating social and economic facts, of adapting old principles to present needs, of working out modern premises necessitated by new conditions, should not devolve upon the courts alone. They are already laboring under too heavy a pressure. Let figures tell their tale. The United States Supreme Court in the October term last year disposed of 472 cases. For the same period 100 years ago, the court passed on only 58 cases. In 1914 the Massachusetts Supreme Court wrote opinions in 470 cases, while during the same period 100 years ago a single volume of Massachusetts reports contains but 134 opinions. Johnson's reports for 1814, covering both law and chancery cases decided by two courts, disclose 228 cases, whereas the single New York Court of Appeals in 1914 disposed of 679 cases. These are the dry statistics of a fact known to all the Bar, that our supreme courts suffer from overburdening labor, putting cramping limits upon argument and deliberation and study. Their time and energy are exclusively devoted to deciding specific controversies submitted for their decision. To a very large degree they are practically compelled to choose from what is offered to them.

Nor is the need of working out the law as an entirety primarily a function of the Bar. By tradition and theory the American lawyer contributes to the development of law as the partisan in a controversy. An overworked and absorbed Bar can only assist in the problems now confronting the law so far as any concrete litigation demands consideration beyond the fringe of the field which it touches. Those few who do free themselves from the absorption of practice and turn their time into constructive contributions to the law are indeed of invaluable assistance to courts and practitioners.

No, the work is too exacting and too intimately connected with the welfare of the community not to be done consciously and systematically, and to be left to casual judicial contributions or the occasional incidence of a law suit. The work of assimilating the raw material, of restating the law in its entirety, must be done by those in position to give their entire time to the arduous task. Here the growing body of teachers of the law find a natural field. I do not mean to suggest the establishment of *ex cathedra* learning. Quite the contrary. The work involves humility, the trained humility of those who recognize that the ascertained is but a pitifully small fraction of the ascertainable. What we need are doctrinal writers—men who labor steadily upon law as an organic whole, who should produce tentative working hypotheses to be tested, revised and modified as the actualities of controversy require. For the work of the law schools must meet the tests and suffer the modifications of practical experience. Bench and Bar will apply such tests and make such modifications.

True enough, law is by no means a fixed science. In law, as Justice Holmes has pointed out again and again, we are dealing almost wholly with considerations of social advantage which very rarely permit of quantitative determination. This need not deter us from the scientific method; it all the more makes scientific treatment our soundest hope. While not to so large a degree as law, the whole history of medicine demonstrates that it is a science of probabilities and not of certainties. But for that very reason the medical schools have become organized experiment stations for working out theories which the practitioner applies, tests and corrects.

The same thing must be done for law by the law schools. The same thing was done at a previous stage in our legal history. In the formative days of our law, Story, as Professor Pound has so brilliantly told us, restated the English common law and thereby secured its acceptance as the basis of the American common law against the contending pressure of French law. In a similar way, if to a less degree, John Chipman Gray has furnished the basis for judicial decisions upon complicated questions of property law, and we are now witnessing the steady, wholesome influence of Dean Wigmore upon the law of evidence

throughout the country. Story's and Gray's and Wigmore's works were essentially academic products.

Again, so long as the energies of courts necessarily are spent upon decisions of specific cases, the tendency is inevitably towards building up so-called local law. As a result there is an all too unfortunate emphasis upon local differences, and differences multiply into further separating anomalies. This tendency to particularism can only partly be arrested by the movement for uniform legislation. For the greatest field in the law is bound to remain development through decisions. Here likewise the law schools can help greatly. By the systematic treatment of the law, after thorough testing of all available jural matter, through the production of treatises of commanding authority and through a demonstration of identity of problems throughout the country, the law schools would further unity of decisions and thereby uniformity of law in the various jurisdictions.

Of course, great men—men like Ames and Holmes and Maitland and Thayer—will respond to the hunger of creation that is in them. But the scholarship that is now needed should not depend upon the accident of genius. Here, as elsewhere, opinion is in itself a creative force. If the Bar and Bench will require of law schools their needed share in the development of the law, the law schools will be compelled to meet the need. Therefore the profession should demand law schools fit for this work—the work not merely of training practitioners but of helping to develop the law, of participating in a great state service.

Not only by producing treatises to which they have devoted years of research, but in their class-room work, the law school teachers can assist the law in its needed response to present demands. It is not enough that young men should come from our schools equipped to become skillful practitioners, armed with precedent and ready in argument. We fail in our important office if they do not feel that society has breathed into law the breath of life and made it a living, serving soul. We must show them the law as an instrument and not an end of organized humanity. We make of them clever pleaders but not lawyers if they fail to catch the glorious vision of the law, not as a harsh Procrustean bed into which all persons and all societies must inexorably be fitted, but as a vital agency for human betterment.

Not so long ago sympathetic observers, like Lord Bryce, reported the loss of prestige of the profession. For the time being the lawyer was eclipsed because he went outside of his field; he became the subordinate to wealth, instead of the director of social forces. The lawyer is undoubtedly again coming into his own. Never were the demands upon him greater. Our society is becoming more and more complex, which means more law and not less law. The lawyer, by tradition and by training, is the expert in affairs. He must adapt old loyalties to new facts; he, above all, must find ways to reconcile order with progress. The problems ahead present to our profession opportunities for great leadership, but correspondingly they call for equipment adequate to the task; they call for fresh thinking, disinterested courage, and vision.

REPORT

OF THE

COMMITTEE ON JURISPRUDENCE AND LAW REFORM.

To the American Bar Association:

Your Committee on Jurisprudence and Law Reform would respectfully beg leave to submit their report as follows:

There were referred to the committee for consideration and report three separate matters, viz.:

1. The matter of the protection of aliens, etc., referred to in the annual address of President Taft delivered at Washington in October, 1914, and concretely presented by House Bill No. 21073,

“For the Better Protection of Aliens and for the Enforcement of their Treaty Rights,” introduced at the 3d session of the 63d Congress, January 20, 1915, by the Hon. Richard Bartholdt, M. C.

2. The matter of interest upon claims and judgments against the United States as presented by Senate Bill No. 4924 of the 62d Congress and more especially by Senate Bill No. 2274 presented at the 1st session of the 63d Congress on May 22, 1913, to amend Section 177 of the Judicial Code.

3. A Bill to regulate expert testimony presented by the Committee on Insanity and Criminal Responsibility to the American Institute of Criminal Law and Criminology, October 22, 1914, and unanimously approved by the Institute.

With respect to these several matters we beg to report and recommend as follows:

1. As to No. 1, *supra*, we recommend the approval of the proposed bill with the following changes:

In section 1 strike out the words,

“The aliens whose rights are affected may be joined as complainants with the United States in such equitable proceeding.”

In section 2 strike out the words,
“and the consent of such citizen or subject of a foreign country,
party defendant.”

In section 3 strike out the word “like” so that the phrase shall read,

“shall constitute a crime against the peace and dignity of the United States, etc,”

in lieu and instead of

“shall constitute a *like* crime, etc.”

We believe that whenever a matter is of sufficient importance to justify the President in directing action to be taken by the Attorney-General, the United States and the United States alone should be the complaining party, and its action should in no wise be complicated by the consent or non-consent of any other person whomsoever.

2. As to No. 2, *supra*, we base our recommendation on Senate Bill No. 2274. We recommend that the words,

“a judgment for the claimant shall include interest at 6 per cent per annum from the time the debt was due and payable, and in all other judgments against the United States the court shall include interest at the same rate as an element in the damages awarded if necessary fully to compensate the claimant,”

be omitted, and in lieu thereof the following words be substituted,
“the court shall in its discretion allow interest at a rate not less than 3 nor more than 4 per cent per annum from the time when in its judgment payment has been unjustly withheld.”

The United States on its bonded indebtedness pays interest at the rate of 2, 3 and 4 per cent only and it ought not to be penalized by the acts or omissions of some careless, negligent or incompetent official.

Persons about to contract with the government may protect themselves in their contracts providing the amounts that they are to receive, and persons having claims that do not arise out of express contracts should be content with receiving a rate of interest that the United States accords to other parties contracting with it.

3. As to No. 3, *supra*, with some measure of hesitation we recommend the approval of the Keedy Bill except that, in lieu of section 3, we recommend a section as follows:

"**Sec. 3. Commitment to Hospital.**—Whenever in the trial of a criminal case, the accused pleads insanity as a defence, he shall be required to state in his pleading whether he claims that the malady is continuous and permanent or whether it is a temporary attack which has passed off at the time of the pleading. If the defence relied on is a continuing and permanent malady and if the existence of this malady becomes an issue in the case, the judge of the court before which the accused is to be tried or is being tried shall commit the accused to the state hospital for the insane or other appropriate hospital to be detained there until further order of the court."

Great complaint and in many instances justifiable complaint has been made in this Association of the intolerable—not to say criminal—"third degree" processes of police authorities.

We are unwilling to commit this Association to anything that even remotely resembles them.

Under such a commital it is reasonably certain that the conduct, manner, etc., of the accused will be sufficiently "observed." He will be segregated from his family, friends and counsel and it is difficult to say that he is not required to be a witness against himself—contrary to all constitutional safeguards.

In an attempt to relieve from what is considered to be an evil we think that this Association should ponder well and hesitate long before it gives its assent to what may prove to be a greater evil.

We return herewith as a part of this report copies of the several bills to which reference is herein made.

Respectfully submitted,

WILLIAM A. KETCHAM, *Chairman,*

CHARLES CLAFLIN ALLEN.

WILLIAM L. PUTNAM.

JERRY B. SULLIVAN.

IN THE HOUSE OF REPRESENTATIVES.

JANUARY 20, 1915.

Mr. Bartholdt introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed:

A BILL

FOR THE BETTER PROTECTION OF ALIENS AND FOR THE ENFORCEMENT OF THEIR TREATY RIGHTS.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to direct the Attorney-General, in the name and behalf of the United States, to file a bill in equity in the proper district court of the United States against any person or persons threatening to violate the rights of a citizen or subject of a foreign country secured to such citizen or subject by treaty between the United States and such foreign country; and that this provision shall apply to acts threatened by state officers under the alleged justification of a law of the legislature of the state in which such acts are to be committed. [The aliens whose rights are affected may be joined as complainants with the United States in such equitable proceeding]* and jurisdiction is hereby given to the proper district courts to maintain such action. The costs in such case, if awarded [against the complainant and] the United States, shall be paid by order of the Secretary of State out of the contingent fund of the State Department.

SEC. 2. That whenever an action, civil or criminal, is brought in a state court against a citizen or subject of a foreign country to enforce an act passed by the legislature of such state, which is deemed by the President to violate the rights of such citizen or subject of a foreign country, secured to him by treaty between the United States and such foreign country, it shall be lawful for the Attorney-General of the United States, on behalf and in the name of the United States [and with the consent of such citizen or subject of a foreign country, party defendant],* at any time before a hearing or trial upon the merits in such state court, to file an intervening petition for removal of said cause to the proper district court of the United States.

Upon the filing of such petition removal shall take place in accordance with the procedure in other cases for which removal is provided in the statutes of the United States, so far as the same is applicable, except that the Attorney-General shall not be required to file a bond for costs. The district court of the United States is hereby authorized to make an order for costs against the United

States in case the cause shall prove to have been improperly removed, to be paid by the Secretary of State, as in section 1 of this act. Upon the filing in the proper district court of the United States the cause shall duly proceed to trial, and the United States as intervenor shall be permitted to submit evidence and to be heard by counsel duly authorized, and the cause shall accordingly proceed to judgment, and shall be subject to review as other cases arising under the laws and Constitution of the United States.

SEC. 3. That any act committed in any state or territory of the United States in violation of the rights of a citizen or subject of a foreign country, secured to such citizen or subject by treaty between the United States and such foreign country, which act constitutes a crime under the laws of such state or territory, shall constitute a [like] crime against the peace and dignity of the United States, punishable in like manner as in the courts of said state or territory, and within the period limited by the laws of such state or territory, and may be prosecuted in the courts of the United States, and, upon conviction, the sentence executed in like manner as sentences upon convictions for crimes under the laws of the United States.*

SEC. 4. That the President of the United States is hereby expressly authorized to use the marshals of the United States and their deputies to maintain the peace of the United States when violated by the commission of such acts as are denounced in the preceding section; and should, in his judgment, the circumstances demand it, he is empowered to use the army and the navy for the same purpose.

* Changes recommended by the committee:

In section 1 strike out the words,

"The aliens whose rights are affected may be joined as complainants with the United States in such equitable proceeding."

In section 2 strike out the words,

"and the consent of such citizen or subject of a foreign country, party defendant."

In section 3 strike out the word "like" so that the phrase shall read,

"shall constitute a crime against the peace and dignity of the United States, etc.,"

in lieu and instead of

"shall constitute a *like* crime, etc." (See Report, *supra*.)

IN THE SENATE OF THE UNITED STATES.

MAY 22, 1913.

Mr. McCumber introduced the following bill; which was read twice and referred to the Committee on the Judiciary:

A BILL

TO AMEND SECTION ONE HUNDRED AND SEVENTY-SEVEN OF THE JUDICIAL CODE.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in an action against the United States to recover a liquidated debt [a judgment for the claimant shall include interest at 6 per centum from the time the debt was due and payable, and in all other judgments against the United States the court shall include interest at the same rate as an element in the damages awarded if necessary fully to compensate the claimant].† All judgments against the United States shall bear interest at the rate of 4 per centum from the date of such judgment until payment of the same.

A BILL

TO REGULATE EXPERT TESTIMONY.

SECTION 1. *Summoning of Witnesses by Court.*—Where the existence of mental disease or derangement on the part of any person becomes an issue in the trial of a case, the judge of the trial court may summon one or more disinterested qualified experts, not exceeding three, to testify at the trial. In case the judge shall issue the summons before the trial is begun, he shall notify counsel for both parties of the witnesses so summoned. Upon the trial of the case, the witnesses summoned by the court

†The committee recommend that the words "a judgment for the claimant shall include interest at 6 per cent per annum from the time the debt was due and payable, and in all other judgments against the United States the court shall include interest at the same rate as an element in the damages awarded if necessary fully to compensate the claimant," be omitted, and in lieu thereof the following words be substituted, "the court shall in its discretion allow interest at a rate not less than 3 nor more than 4 per cent per annum from the time when in its judgment payment has been unjustly withheld." (See Report, *supra*.)

may be cross-examined by counsel for both parties in the case. Such summoning of witnesses by the court shall not preclude either party from using other expert witnesses at the trial.

SEQ. 2. *Examination of Accused by State's Witness.*—In criminal cases, no testimony regarding the mental condition of the accused shall be received from witnesses summoned by the accused until the expert witnesses summoned by the prosecution have been given an opportunity to examine the accused.

SEC. 3. *Commitment to the Hospital [for Observation].*—(Whenever in the trial of a criminal case the existence of mental disease on the part of the accused, either at the time of the trial or at the time of the commission of the alleged wrongful act, becomes an issue in the case, the judge of the court before which the accused is to be tried or is being tried shall commit the accused to the state hospital for the insane, to be detained there for purposes of observation, until further order of court. The court shall direct the superintendent of the hospital to permit all the expert witnesses summoned in the case to have free access to the accused for purposes of observation. The court may also direct the chief physician of the hospital to prepare a report regarding the mental condition of the accused. This report may be introduced in evidence at the trial under the oath of said chief physician, who may be cross-examined regarding the report by counsel for both sides.) ‡

SEC. 4. *Written Report by Witness.*—Each expert witness may prepare a written report upon the mental condition of the person in question, and such report may be read by the witness at the trial. If the witness presenting the report was called by one of the opposing parties, he may be cross-examined regarding his report by counsel for the other party. If the witness was sum-

‡ Substitute section recommended by the committee to take the place of Sec. 3 in original bill:

"SEC. 3. *Commitment to Hospital.*—Whenever in the trial of a criminal case, the accused pleads insanity as a defence, he shall be required to state in his pleading whether he claims that the malady is continuous and permanent or whether it is a temporary attack which has passed off at the time of the pleading. If the defence relied on is a continuing and permanent malady and if the existence of this malady becomes an issue in the case, the judge of the court before which the accused is to be tried or is being tried shall commit the accused to the state hospital for the insane or other appropriate hospital to be detained there until further order of the court." (See Report, *supra*.)

moned by the court, he may be cross-examined regarding his report by counsel for both parties.

SEC. 5. *Consultation of Witnesses.*—Where expert witnesses have examined the person whose mental condition is an element in the case, they may consult before testifying, with or without the direction of the court, and may prepare a joint report to be introduced at the trial.

REPORT
OF THE
COMMITTEE ON COMMERCIAL LAW.

To the American Bar Association:

Your Committee on Commercial Law reports as follows:

I. PRELIMINARY.

The United States Senate printed the last annual report of the Committee on Commercial Law of the American Bar Association as Senate Document No. 605, Sixty-third Congress, second session. That report was thereby given wide publicity.

II. BANKRUPTCY.

By the expiration of the Sixty-third Congress the various pending bills to either repeal or amend the National Bankruptcy Act died. In view of the fact that at every session of Congress bills to repeal the National Bankruptcy Act are introduced, your committee feels that the American Bar Association should pass a resolution renewing its adherence to this statute and authorizing your Committee on Commercial Law to oppose any measure that may be introduced into the Sixty-fourth Congress to repeal the same.

**III. NATIONAL LEGISLATION AS TO RECIPROCAL RIGHTS, DUTIES
AND OBLIGATIONS OF COMMON CARRIERS AND SHIPPERS
IN INTERSTATE AND FOREIGN COMMERCE.**

Your committee in its last report pointed out that Cummins Senate Bill No. 4522 had passed the United States Senate on June 4, 1914. Your committee further reported that it could not recommend the passage of said bill in the "form" in which it had passed the Senate, and in lieu thereof recommended the passage of a law by Congress creating a commission to codify the law as to the reciprocal rights, duties and obligations of common

carriers and shippers in interstate and foreign commerce rather than to remedy any evils by "piece-meal" legislation. The American Bar Association indorsed the recommendation of the committee for the creation of such commission. Notwithstanding the crudeness of the Cummins Act as it passed the Senate, the same was enacted by the House of Representatives on March 4, 1915, in the exact form in which it had passed the Senate and was signed by the President.

The crudeness of this measure threw the whole subject of limitations of liabilities of common carriers into such confusion that the Interstate Commerce Commission ordered an investigation and the whole subject was submitted to the Interstate Commerce Commission on April 20, 1915, and decided May 7, 1915. The opinion of the commission is reported in 33 I. C. C. R. 682. A copy thereof is hereto attached and marked "Exhibit A" for your information.

Your committee recommends that the American Bar Association adopt a resolution in substance as follows:

(a) To authorize the executive committee of the American Bar Association, in its discretion, to appropriate a sufficient sum of money to enable the Committee on Commercial Law to employ a draftsman to prepare a tentative draft of a bill as herein after described;

(b) That if the executive committee shall appropriate said money, said Committee on Commercial Law shall be authorized to employ a draftsman to prepare a tentative draft of a bill codifying the law covering the reciprocal rights, duties and obligations of common carriers and shippers in interstate and foreign commerce;

(c) That if said Committee on Commercial Law shall employ such draftsman, said tentative draft of said bill shall be prepared under the supervision and direction of and subject to the revision of said committee; and

(d) That when said tentative draft of said bill shall have been completed, said committee shall submit same at some future meeting of the American Bar Association for its consideration and action.

IV. NATIONAL LEGISLATION ON BILLS OF LADING.

The bill "To Make Uniform the Laws of the Various States on Bills of Lading," recommended by the Commissioners on Uniform State Laws in National Conference and indorsed by the American Bar Association, has now been passed in fifteen states and one territory as follows: Alaska, Connecticut, Idaho, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and Washington.

The Pomerene Bill relating to bills of lading in interstate and foreign commerce was modeled on the Uniform State Act and indorsed by the American Bar Association on several occasions and has now been twice unanimously passed by the United States Senate. It has been indorsed by practically every commercial organization in the United States and particular attention is called to the fact that it has been indorsed by the Fifth International Congress of Chambers of Commerce and Commercial and Industrial Associations, the Chamber of Commerce of the United States, The National Industrial Traffic League, The Grain Dealers' National Association, the Millers' National Federation, The American Bankers' Association, The National Association of Tanners, The National Implement and Vehicle Manufacturers' Association, The National Paint, Oil and Varnish Association, The National Piano Manufacturers' Association, The National Poultry, Butter and Egg Association, The National Shoe Wholesalers' Association, The National Electric Lamp Association, The National Petroleum Association, The National League of Commission Merchants and The Council of Grain Exchanges of North America.

Notwithstanding the unanimous indorsement of the Pomerene Bill by all commercial organizations and that it has twice unanimously passed the United States Senate, yet it has encountered difficulties in getting any consideration in the House of Representatives. Sections 2, 3 and 10 of the Pomerene Bill contained provisions relating to the form and contents of bills of lading and as to them the Interstate Commerce Commission has expressed an opinion to the Chairman of the House Committee on Interstate and Foreign Commerce that the subject matter of said Sections 2, 3 and 10 is already amply provided for in the pro-

visions of the act of June 18, 1910, amending and supplementing the Act to Regulate Commerce as to the issuance, form and substance of bills of lading, but the Interstate Commerce Commission offered no objections to the other provisions of the Pomerene Bill. Your committee concedes there is much force and merit in what has been said by the Interstate Commerce Commission as to said Sections 2, 3 and 10 of the Pomerene Bill and as their presence has proven an insurmountable obstacle to the passage of this legislation in the House, your committee recommends that they be omitted. Your committee has appended hereto as a part of this report as "Exhibit B" said Pomerene Bill, with Sections 2, 3 and 10 omitted. Your committee has likewise made slight changes in the title to the bill and in Sections 14, 20, 21, 37, 45 and 46 as numbered in "Exhibit B" hereto attached which are, however, merely for the purpose of perfecting the bill in the light of practical criticism, the provisions of the Interstate Commerce Act, and the decisions of the Interstate Commerce Commission and of the courts.

Your committee has studied with much interest "The History and Present Condition of the Bill of Lading," by Mr. W. P. Bennett, published by the University Press, Cambridge, England, in 1914, being the York Prize Essay for the year 1913.

Your committee recommends that the American Bar Association indorse the "Bill Relating to Bills of Lading in Interstate and Foreign Commerce" hereto attached and marked "Exhibit B."

V. UNIFORM COMMERCIAL LEGISLATION THROUGHOUT THE COMMERCIAL WORLD.

A Pan-American Financial Conference was held in Washington, D. C., May 24-29, 1915, under the auspices of the United States. In addition to the United States being officially represented at this Conference, there were representatives present from the following 18 West Indian, Central and South American Republics; Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, Honduras, Nicaragua, Panama, Paraguay, Peru, Salvador, San Domingo, Uruguay and Venezuela.

This conference took action looking toward uniformity of legislation throughout the commercial world in regard to, among

other things, "bills of exchange, commercial paper and bills of lading." It recommended the creation of an international high commission to bring about such uniformity on the seven subjects embraced in a report of a sub-committee of a general committee on uniformity of laws, a copy of which report is hereto attached and marked "Exhibit C" and made part hereof.

Your committee recommends that the American Bar Association indorse this movement looking to the bringing about of uniformity of commercial laws throughout the commercial world.

VI. SUMMARY OF RECOMMENDATIONS.

In conclusion, your committee summarizes its recommendations as follows:

(1) That the American Bar Association pass a resolution renewing its adherence to the National Bankruptcy Act and authorizing your Committee on Commercial Law to oppose any measures that may be introduced in the Sixty-fourth Congress to repeal the same;

(2) That the American Bar Association pass a resolution in substance as follows:

(a) To authorize the executive committee of the American Bar Association, in its discretion, to appropriate a sufficient sum of money to enable the Committee on Commercial Law to employ a draftsman to prepare a tentative draft of a bill as hereinafter described;

(b) That if the executive committee shall appropriate said money, said Committee on Commercial Law shall be authorized to employ a draftsman to prepare a tentative draft of a bill codifying the law covering the reciprocal rights, duties and obligations of common carriers and shippers in interstate and foreign commerce.

(c) That if said Committee on Commercial Law shall employ such draftsman, said tentative draft of said bill shall be prepared under the supervision and direction of and subject to the revision of said committee; and

(d) That when said tentative draft of said bill shall have been revised by said committee, said committee shall submit same at some future meeting of the American Bar Association for its consideration and action;

(3) That the American Bar Association adopt a resolution indorsing "A Bill Relating to Bills of Lading in Interstate and Foreign Commerce" appended to this report as "Exhibit B"; and

(4) That the American Bar Association pass a resolution indorsing the foregoing movement looking to the bringing about of uniformity of commercial laws throughout the commercial world.

Respectfully submitted,

FRANCIS B. JAMES, *Chairman,*

ERNEST T. FLORANCE,

J. A. C. KENNEDY,

FRANK GOSNELL,

FITZ-HENRY SMITH, JR.,

Committee on Commercial Law,

American Bar Association.

June 11, 1915.

EXHIBIT A.

No. 49 (Ex parte).

† IN RE THE CUMMINS AMENDMENT.

[33 I. C. C. R. 682.]

Submitted April 20, 1915. Decided May 7, 1915.

REPORT OF THE COMMISSION.

BY THE COMMISSION:

For many years, if not, indeed, from the origin of railroad transportation in this country, common carriers by railroad have sought, by provisions in shipping contracts, bills of lading, tariff publications, etc., to limit their common-law liability, not only as insurers against loss or damage to property received by them for transportation, but also as tort-feasors for loss or damage caused by their negligence. One method was by a so-called release, executed by shipper and carrier, and intended to be effective whether the loss or damage was due to negligence of the carrier or to other causes. The courts in different jurisdictions

† 33 I. C. C. R. 682.

have differed as to the validity of such limitations and they have been the subject of legislation in some of the states.

By adoption of the "Carmack amendment," so called, to the act to regulate commerce, approved June 29, 1906, the Congress provided that a common carrier receiving property for transportation from a point in one state to a point in another state should issue a receipt or bill of lading therefor and be liable to the lawful holder thereof for any loss, damage or injury to such property caused by it or by any common carrier to which such property might be delivered, or over whose lines such property might pass, and declared that no contract, receipt, rule or regulation should exempt such common carrier from the liability thereby imposed. It was provided that nothing in that amendment should deprive any holder of such receipt or bill of lading of any remedy or right of action which he had at that time under existing law.

Since that time, beginning in 1913, with *Adams Express Co. vs. Croninger*, 226 U. S., 491, the Supreme Court of the United States has decided in a number of cases, all of which followed *Hart vs. P. R. R.*, 112 U. S., 331, that where the shipper has his choice of two rates, the higher carrying unlimited carrier's liability, and in "a fair, just and reasonable agreement" declares or agrees that the value of his shipment is a certain sum and thereby secures a reduced transportation rate, he is bound by that declaration or agreement, estopped * from claiming or recovering more than that value in case of loss of or damage to the property, and conclusively presumed to have known the governing tariff.

On March 4, 1915, the following act, amendatory of the act to regulate commerce, and hereinafter called the Cummins amendment, was approved:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section seven of an Act entitled 'An Act to amend an Act entitled "An Act to regulate commerce," approved February 4, 1887, and all Acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission,' approved June 29, 1906, as reads as follows, to wit:

"That any common carrier, railroad or transportation company receiving property for transportation from a point in one state to a point in another state shall issue a receipt or a bill of lading therefor, and shall be liable to the lawful holder thereof for

any loss, damage or injury to such property caused by it or by any common carrier, railroad or transportation company to which such property may be delivered, or over whose line or lines such property may pass, and no contract, receipt, rule or regulation shall exempt such common carrier, railroad or transportation company from the liability hereby imposed: *Provided*, That nothing in this section shall deprive any holder of such receipt or bill of lading of any remedy or right of action which he has under existing law,' be, and the same is hereby, amended so as to read as follows, to wit:

"That any common carrier, railroad or transportation company subject to the provisions of this Act receiving property for transportation from a point in one state or territory or the District of Columbia to a point in another state, territory, District of Columbia, or from any point in the United States to a point in an adjacent foreign country shall issue a receipt or bill of lading therefor, and shall be liable to the lawful holder thereof for any loss, damage or injury to such property caused by it or by any common carrier, railroad or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading, and no contract, receipt, rule, regulation or other limitation of any character whatsoever, shall exempt such common carrier, railroad or transportation company from the liability hereby imposed; and any such common carrier, railroad or transportation company so receiving property for transportation from a point in one state, territory or the District of Columbia to a point in another state or territory, or from a point in a state or territory to a point in the District of Columbia, or from any point in the United States to a point in an adjacent foreign country, or for transportation wholly within a territory shall be liable to the lawful holder of said receipt or bill of lading or to any party entitled to recover thereon, whether such receipt or bill of lading has been issued or not, for the full actual loss, damage or injury to such property caused by it or by any such common carrier, railroad or transportation company to which such property may be delivered or over whose line or lines such property may pass within the United States or within an adjacent foreign country when transported on a through bill of lading, notwithstanding any limitation of liability or limitation of the amount of recovery or representation or † agreement as to value in any such receipt or bill of lading, or in any contract, rule, regulation or in any tariff filed with the Interstate Commerce Commission; and any such limitation, without respect to the manner or form in which it is

† 33 I. C. C. R. 685.

sought to be made, is hereby declared to be unlawful and void: *Provided, however,* That if the goods are hidden from view by wrapping, boxing or other means, and the carrier is not notified as to the character of the goods, the carrier may require the shipper to specifically state in writing the value of the goods, and the carrier shall not be liable beyond the amount so specifically stated, in which case the Interstate Commerce Commission may establish and maintain rates for transportation, dependent upon the value of the property shipped as specifically stated in writing by the shipper. Such rates shall be published as are other rate schedules: *Provided further,* That nothing in this section shall deprive any holder of such receipt or bill of lading of any remedy or right of action which he has under the existing law: *Provided further,* That it shall be unlawful for any such common carrier to provide by rule, contract, regulation or otherwise a shorter period for giving notice of claims than ninety days and for the filing of claims for a shorter period than four months, and for the institution of suits than two years: *Provided, however,* That if the loss, damage or injury complained of was due to delay or damage while being loaded or unloaded, or damaged in transit by carelessness or negligence, then no notice of claim nor filing of claim shall be required as a condition precedent to recovery.

"SEC. 2. That this Act shall take effect and be in force from ninety days after its passage."

Many widely varying or diametrically opposed ideas have been expressed as to the effect of this amendment and as to what will be the lawful rates under present tariffs when it becomes effective on June 2, 1915. The commission has been urged to some expression in the premises. It has held a hearing on this subject, and the questions there discussed have been argued on briefs. From the best information it has been possible to obtain and the consideration it has been possible to give this matter within the limited time available, the commission expresses tentatively the views hereinafter indicated.

The greater part of the freight transported moves under a bill of lading, which constitutes a receipt for the property and a contract for its carriage. Efforts have been made from time to time to secure the adoption and use by all carriers of a uniform bill of lading, but no such effort has been entirely successful. Several years ago protracted effort of that kind, assisted in so far as seemed appropriate by the commission, culminated in substantial agreement among the representatives of the shippers and the representatives of the carriers, excepting those in the southern

classification territory, as to the terms and conditions of what was then styled and has since been known as the uniform bill of lading. The commission gave it tentative approval and recommended its use, and since that time it has been in use except in the southern territory mentioned, where a some * what different bill of lading, commonly called the standard bill of lading, has been and is in use.

The official classification, which, speaking generally, applies in the territory east of the Mississippi River and north of the Ohio and Potomac rivers, contains a rule that, except as otherwise provided, when property is transported subject to the provisions of that classification the acceptance and use of the uniform bill of lading, export bill of lading, uniform live-stock contract, and certain contracts with men in charge of shipments, respectively, are required. The uniform bill of lading and the other bills of lading or contracts are set out in full in the classification.

Another rule is that in order that the consignor may have the option of shipping subject to the terms and conditions of the uniform bill of lading, or under the liability imposed upon common carriers by the common law and the federal and state statutes applicable thereto, different rates and different forms of bills of lading are provided, to be used at the election of the shipper. Under this rule, unless it is otherwise provided in the classification, property will be carried at the lower rates specified if shipped subject to all the terms and conditions of the uniform bill of lading. Property carried not subject to all the terms and conditions of the uniform bill of lading is to be carried at the carrier's liability, limited only as provided by common law and by the laws of the United States and of the several states in so far as they apply, but subject to the terms and conditions of the uniform bill of lading in so far as they are not inconsistent with such common carrier's liability, and in such instances a rate 10 per cent higher, subject to a minimum increase of 1 per cent per 100 pounds, will be charged. It is provided that if consignor elects not to accept all the terms and conditions of the uniform bill of lading he shall so notify the agent of the carrier at the time his property is delivered for shipment, and if he does not give such notice it will be understood that he desires the property

* 33 I. C. C. R. 686.

carried subject to the terms and conditions of the uniform bill of lading in order to secure the lower rate or, as it is termed in the classification, "the reduced rate." If the shipper notifies the agent of the initial carrier that he elects not to accept all the terms and conditions of the uniform bill of lading, the agent must print, write or stamp upon the bill of lading a provision that in consideration of the higher rate charged the property will be carried at the carrier's liability, limited only as provided by law, but subject to the terms and conditions of the uniform bill of lading in so far as they are not inconsistent with such common carrier's liability.

The western classification, which, speaking generally, applies in all of the territory west of the Mississippi River and Lake Michigan, † contains a rule that, except as otherwise provided therein, when property is transported subject to the provisions of the western classification the acceptance and use of the uniform bill of lading is required. It also contains additional provisions substantially like those cited from the official classification. All of the terms of the uniform bill of lading are printed in the classification, but the live-stock contract form does not so appear. The live-stock ratings are stated to be based upon values declared by shippers, not exceeding certain stated values "under contract."

The southern classification, which, speaking in general, applies in the territory east of the Mississippi and south of the Ohio and Potomac rivers, contains a rule that the reduced rates specified in the classification will apply only on property shipped subject to the conditions of the carrier's bill of lading, and that property carried not subject to the conditions of the carrier's bill of lading will be at the carrier's liability, limited only as provided by common law and by the laws of the United States and of the several states in so far as they apply. It provides that property thus carried will be charged 10 per cent higher, subject to a minimum increase of 1 cent per 100 pounds, than if shipped subject to the conditions of the carrier's bill of lading. The classification does not contain the terms of the carrier's bill of lading, and, one or two individual exceptions, the terms thereof are not filed with the commission as a tariff publication or rate schedule. The classification provides that the rates on live stock will apply when

† 33 I. C. C. R. 687.

the declared value does not exceed certain values therein stated and that for each increase of 100 per cent or fraction thereof in declared value there shall be an increase of 20 per cent in the rate. The classification does not contain any requirement that the live-stock contract must be used, but it does provide that agents must not issue more than one live-stock contract on any one shipment. Some of the tariffs of the individual carriers in this territory contain released rates applicable to shipments of live stock which are conditioned upon certain declared valuations and upon shipments being made under the live-stock contract, and such tariffs provide that higher rates will apply when shipments are not so made. The terms of the live-stock contract are not incorporated in the tariffs and, with one or two individual exceptions, they are not filed with the commission as a tariff publication.

It is perfectly plain that the purpose of this law is, except as otherwise provided therein, to invalidate all limitations of carrier's liability for loss, damage or injury to property transported caused by the initial carrier or by another carrier to which it may be delivered or which may participate in transporting it. The law does not specifically say that attempts so to limit the carrier's liability shall * not be resorted to, but it declares them to be invalid and unlawful wherever found and in whatever guise they may appear. Obviously, therefore, neither the bills of lading or other contracts for carriage, or classifications or rate schedules of the carriers, should contain any provisions which are so declared to be unlawful and void.

Some of the carriers insist that if no changes are made in their classifications and other tariff publications the lower rates, which are conditioned upon the use of the bills of lading now in use, will be automatically canceled and the higher rates, based upon the carrier's liability, will be the only lawful rates from and after the date upon which the law in question becomes effective. Some of the shippers insist that if no changes are made in the classifications or tariff publications, the provisions for limitation of carrier's liability will, when the new law becomes effective, be unlawful and void, and the carriers will thereupon have two sets of rates, both applicable under like

* 33 I. C. C. R. 688.

conditions, and that of the two shippers will be entitled to the lower.

The official classification roads have announced the purpose of making certain changes in the terms of their bills of lading, other contracts of carriage, and classification and rate schedules, in the light of the provisions of the new law. They say that whether or not they will continue to maintain rates based upon the value of the property is a matter for further consideration by their traffic officers. They express the opinion that certain of these changes will impose upon them liabilities not heretofore borne and consequent loss of revenue, and reserve the right to assert at the proper time a claim for some increase in rates on account thereof.

The southern lines announced their purpose of making certain changes in their contracts, classification and rate schedules which would exempt certain heavy commodities moving in large quantities and said to constitute about 70 per cent of their traffic from any immediate increases in rates on account of the amended law, and to incorporate in the classification a provision that as to the remainder of the traffic the rates contained in schedules governed by the classification would be increased 5 per cent upon the date when the new law becomes effective. That method of changing rates would be in direct opposition to the commission's regulations governing the construction of tariffs, which are by the act given full force of law. The southern lines urge that the new law will produce conditions which furnish substantial reasons for allowing them additional revenue, and that it is physically impossible, except by the method which they propose, to issue any tariff publications prior to June 2 which will secure that additional revenue. They say that the tariff regulations are prescribed by the commission and that it is within † its power to modify them at any time, and therefore the question of whether or not the carriers should be permitted to make effective the proposed plan is wholly within the commission's discretion to determine. They argue that if nothing is done the 10 per cent higher rates will automatically become effective, which they do not desire, and that the course proposed by them is the only alternative to the injustice of their being compelled to sustain the burdens

† 33 I. C. C. R. 689.

imposed by the new legislation without means for recouping the losses which they will suffer.

The commission has made no investigation upon which a judgment as to the cost of and proper compensation for additional risk could be based. The commission has no right to assume that it would be 5 per cent of the rates upon 30 per cent of the carriers' traffic or that it would be any given per cent upon all of the traffic. Obviously there can be no propriety in attaching to one commodity unreasonable rates for the purpose of compensating a carrier for a risk attaching to it in the transportation of another commodity, and it is admitted that the carriers cannot make any accurate statement in advance as to the added cost, if any, of the increased liability.

With regard to rates on shipments of live stock, the southern carriers announced at the hearing their purpose to provide that the present rates would apply on shipments declared to be of value not exceeding that now stated as limitation of the carrier's liability, and to increase the rates 20 per cent for each 100 per cent increase in the declared value of the live stock. By letter submitted since the hearing they announce the purpose to provide for an increase of 5 per cent in the rate for each increase of 100 per cent, or fraction thereof, in the declared value.

By a still later letter the southern classification roads advise that, in view of the numerous and irreconcilable complications which have developed, and in order to remove all doubt as to the continuance of existing rates after the amendment to the law becomes effective, they have decided to supersede their present classification rule by one which will recite that the rates governed by the classification will apply only on property shipped subject to the conditions of the carrier's bill of lading in use on and after the effective date of the amended law, and, except as otherwise provided in the classification, all interstate rates in effect on June 2, 1915, will continue in force, disregarding provisions in tariffs, classifications and exception sheets which limit the liability of carriers, and to continue a provision that property carried not subject to the terms and conditions of the carriers' bill of lading will be at carriers' liability, limited only by the common law and the laws of the United States and of the several states in so far as they may apply, and property so carried will be subject to rates 10 per cent higher than those shown in the tariffs.

* The western classification roads, in the main, take a position substantially like that taken by the official classification roads. Their representatives expressed to the committees of Congress the view that the enactment of the amendment in question would, by striking from the uniform bill of lading vital provisions, automatically throw the roads back upon their common-law liability and the increased rates. They admit that a 10 per cent increase in rates cannot be justified. They think that the increased liability will justify some increase in rates, but emphatically disclaim any disposition to take advantage of a technical opportunity to mulct the shipping public. They are of opinion that they still have the right to provide rates upon live stock dependent upon the declared value of the stock, and that a shipper who misstates the true value of his shipment is guilty of violation of section 10 of the act, just as he would be if he misstated the commodity shipped. They suggest that their present rule, which provides in general for an increase of 10 per cent in the rate for each 100 per cent of increase in the declared valuation, is probably too high; that an increase of 5 per cent in the rate for each 100 per cent increase in the value, or of 3 per cent in the rate for each increase of 50 per cent in the value, would be a more equitable rule, and that this question is involved in a case soon to be submitted to the commission. They, like the eastern roads, have numerous commodity rates based upon valuation, and they think they may lawfully continue that practice. They have, however, not had opportunity since this bill was enacted to formulate in detail the changes which they think necessary and proper.

From the best information that can be gathered from testimony that has been submitted in various cases, it appears that prior to 1913 the limited liability provisions contained in the shipping contracts, classifications and rate schedules were very generally disregarded in the settlement of loss and damage claims, especially in the western classification territory. It seems, therefore, that to a very large extent at least, despite the limitations of liability stated in the contracts and schedules, full value was quite generally recognized in the settlement of claims. After the Supreme Court decided the Croninger case, *supra*, in 1913, the

* 33 I. C. C. R. 690.

provisions of the contracts and rate schedules in this and other particulars were recognized as lawfully binding upon carriers and shippers alike, and the policy followed was correspondingly changed. It is pointed out that prior to 1906 many of these limitations of liability were not contained in the shipping contracts and rate schedules; that in 1906 they were incorporated therein, but were largely ignored until 1913; that in 1913 the policy was generally adopted of endeavoring to enforce the limited liability provisions, and that neither in 1906 nor in 1913 † was any change in the rates undertaken because of the limited liability. It is argued that inasmuch as no reduction in rates was made when the limited liability provisions were established, or when they were sustained as lawful by the Supreme Court of the United States, there is no justification for an increase in rates now that the liability conditions are restored to substantially what they were prior to 1906. Limitations of liability have been incorporated in live-stock shipment contracts for many years, but, as has been said, it appears that at least in the territory where there is the greatest movement of live stock those limitations were generally disregarded in settlement of claims.

The so-called uniform bill of lading, which has been in use in official and western classification territories, contains and has contained, a provision that claims for loss or damage must be presented to the carrier within four months, but until the Croninger case, *supra*, was decided by the Supreme Court no effort was made by the carriers generally to enforce or to observe that provision. After the Croninger case was decided the carriers adopted an entirely different course and took the position that this provision was in the bill of lading, the terms of the bill of lading were in the rate schedules, and therefore it was unlawful to depart from that requirement. This created a general controversy, and the sudden change from ignoring a rule to literally enforcing it necessarily created multitudes of unjust discriminations. The question was presented to and considered by the commission, and as the fair and only means of composing the situation and avoiding endless controversy and litigation, the commission issued its report, In the Matter of Bills of Lading, 29 I. C. C. 417.

† 23 I. C. C. R. 691.

The Cummins amendment makes it unlawful for the carrier to fix a period for giving notice of claims shorter than 90 days, for the filing of claims shorter than four months, and for the institution of suits shorter than two years. The law does not indicate the time or date from which these several periods of time shall be computed; that is, whether from the date of delivery by the carrier of the damaged property, or in case of loss, after a reasonable time for delivery has elapsed, from the date shown on the bill of lading, or from the occurrence of the loss or of the damage. It seems clear that these provisions are, in common with the other matters governed by the amendment, confined to instances of loss, damage or injury caused by the carriers. It will be necessary for the carriers to determine what periods of time they will fix for the giving notice of claims, the filing of claims, and the institution of suits. The dates or times from which such periods shall run should also be fixed in the rules. In the interest of thorough understandings and to avoid controversies it is * very desirable that these rules be uniform for all the carriers of the country.

It is to be remembered that the Cummins amendment is not a separate statute, but is an amendment to the act. It must, therefore, be construed as a part of, and in connection with other portions of, the act, and in such a way as to give effect to the whole statute. There does not seem to be any indication of legislative intent to change any provision of the act other than that part known as the Carmack amendment. The new amendment should, if possible, be so construed as to give full force to its clear purpose, without impairing the effect of any other provision of the act.

The more important points which seem to be surrounded with the most doubt and upon which opinions so far expressed most sharply conflict, are:

1. If no changes are made in the existing shipping contracts and rate schedules, will the higher rates provided therein automatically become lawfully applicable upon the date upon which the amendment takes effect?

As we have seen, the Carmack amendment, adopted in 1906, provided that no contract, receipt, rule or regulation should exempt the carrier from the liability thereby imposed. As has

been said, no effort was made to change rates because of that amendment to the act. The classifications or rate schedules provide that unless the terms of certain bills of lading are accepted higher rates will apply. The terms of the bill of lading could be modified or changed to any extent without automatically changing any rate. Prior to 1913 many of the limitations contained in bills of lading or other shipping contracts were treated as if they did not exist, and it was never suggested that the validity or invalidity of any such provision affected the rate.

It is contrary to all canons of construction to hold that an act of Congress produces a result not intended by Congress unless the express language of the act compels such a construction. There is nothing in the expressed terms of this act or in the history of this legislation that shows any intent or purpose on the part of Congress to affect in any degree the existing rates charged by carriers for transporting property. The legislation is aimed at specified contracts and declares them to be unlawful. The lawful rates on file at this time, therefore, are the rates providing for the limited liability. The Cummins amendment, by making contracts limiting liability for loss caused by the carriers unlawful, does not destroy these rates, but they remain in effect and are lawfully applicable, for the 10 per cent increased rates are merely additional and cannot stand in and of themselves.

† Applying correct rules of interpretation, the Cummins amendment does not automatically bring into effect the increased rates named in the classifications and tariff publications as applicable to shipments which are not made subject to the terms of the uniform or carrier's bill of lading.

2. May the carriers lawfully provide in their tariffs and rate schedules that their liability shall be for the full value of the property at the time and place of shipment?

It is argued that such a provision would be neither a limitation of the amount of recovery nor a representation or agreement as to value within the meaning of the new law. It is urged that this rule would relieve the question of the amount of liability from uncertainty, would afford a reasonable and uniform method of determining the measure of recovery, save endless litigation

† 33 I. C. C. R. 693.

with its attendant labor and expense, and avoid unjust discriminations.

The Cummins amendment clearly places upon the carriers liability for the full actual loss, damage or injury to the property transported which is caused by them, and it makes unlawful any limitation of that liability, or of the amount of recovery thereunder, in any receipt, bill of lading, contract, rule, regulation or tariff filed with this commission, without respect to the manner or form in which such limitation is sought to be made. The loss or damage must, apparently, be either as of the time and place of shipment, time and place of loss or damage, or time and place of destination. Where rates are lawfully dependent upon declared values, the property and the rates are classified according to the character of the property, of which the value of the property may constitute an element, and such classification is necessarily as of the time and place of shipment. It is therefore believed that the liability of the carrier may be limited to the full value of the property so classified and established as of the time and place of shipment.

3. Does the amendment to the act apply to export and import shipments to and from foreign countries not adjacent to the United States?

This must be answered in the negative, in view of the fact that, while specifically stating that its terms shall apply to property received for transportation from certain points to certain other points, it makes no reference to shipments from a point in the United States to a point in a nonadjacent foreign country, or from a nonadjacent foreign country to a point in the United States.

4. In the proviso, "that if the goods are hidden from view by wrapping, boxing or other means, and the carrier is not notified as to the character of the goods," what is the proper interpretation to be placed upon the words "and the carrier is not notified as to the character of the goods"?

* Some argue that the word "character" means nothing more than a statement of the ordinary name by which the commodity is known. On the other hand, it is urged that knowledge as to what the commodity is is necessary in order to apply to it any

transportation rate, and that therefore the word "character" properly means more than the mere name of the commodity. It has been suggested that the real and proper meaning would be indicated by recasting the language as follows:

"Provided, however, That if a commodity in the course of transportation is hidden from view by wrapping, boxing or other means, so that the carrier cannot know its character, that is to say, its grade, quality and condition, it may, with the approval of the commission, publish and maintain rates based on value and require the shipper to state in writing the value of any shipment made, and beyond the value so stated the carrier shall not be liable."

It has also been suggested that in view of the fact that the articles dealt with in this proviso are to be distinguished on the basis of value, the value becomes a peculiar quality of the property and the word "character" should be construed as including value, and that when the shipper notifies the carrier of the character of the goods the notice is incomplete unless the value is stated as a necessary element in pointing out the character of the goods.

Another suggestion is that when common experience or knowledge does not clearly establish the nature of the goods, or the view is hidden by boxing, wrapping or other means, and the carrier is not notified as to the true character of the goods, it may exercise the right to require the shipper to state in writing the value of the property.

The right of the carrier to initiate its rates and to consider value of the property tendered for transportation as an element in determining the classification thereof or the rate applicable thereto has not been denied by the act or withdrawn by this amendment. The right in certain instances to make varying rates upon a given article or commodity dependent upon its true value being recognized, and it being impossible for the carrier's agent to know the true value of the shipment unless it is declared by the shipper, and in view of the fact that the ordinary name of the commodity is essential to the application of any transportation rate whatsoever, it seems that the word "character" as used in this proviso must include the true and actual value as stated by the shipper.

The word "character" as here used clearly relates primarily to value, or to those qualities affecting value, and when the entire proviso is considered the meaning seems to be that if the qualities affecting value of the goods are hidden from the carrier's view, or are not known to the carrier, the proviso applies. It is a well-settled rule † of statutory construction that the word "and" may be read as "or" in deference to the meaning of the context.

If the word "and" in the proviso is read as "or," the meaning is reasonably clear, whereas if the letter of the statute is adhered to the meaning is doubtful and difficult to determine. In those instances in which the carrier desires to limit its liability to the value of the property as specifically stated in writing by the shipper, the rate must be based upon the declared value and be so published; but the commission apparently must determine in advance of such publication that the commodity is one the value of which cannot be known to the carrier from ordinary sources or reasonable inspection, and to which rates based on declared value may be applied in connection with which the carrier's liability is limited to the value so declared.

In determining that question the inquiry is whether or not the commodity is one the value of which is peculiarly within the knowledge of the shipper. If it has a definite market value, or its value depends upon facts of which the carrier has equal knowledge with the shipper, the "character" of the shipment is known to the carrier, and the proviso does not apply. The Congress did not affirmatively recognize any rates based upon declared value other than those authorized by this proviso. This, of course, does not mean that commodities may not be reasonably classified according to value and be subject to different rates applicable to different grades of the same commodity, which is a different matter from limiting the liability to the declared value.

When the goods are not hidden from view, and the carrier is advised as to their character, all contracts or agreements purporting to limit the liability of the carrier for loss or damage caused by it are made void. A carrier, after the Cummins amendment goes into effect, may not contract to limit its liability

† 33 I. C. C. R. 695.

for loss or damage caused by it to the property. There is, however, no inhibition as to the limitation of the liability of a carrier for losses not caused by it or a succeeding carrier to which the property may be delivered. The amendment has expressly re-applied the limitation of the prior act with respect to loss or damage caused by the carriers chargeable therewith. It follows, therefore, that the interpretation applied to the act before it was amended is equally applicable to the amendment in so far as the latter affects the right of a carrier to establish rates conditional upon the shipper's assumption of the entire risk of loss attributable to causes beyond the carrier's control. From this it follows that under the amendment a contract or a tariff may lawfully limit to a reasonable maximum the liability of a carrier for losses which it does not cause. It follows further that the rates provided by such tariff may be proportionate to the risk assumed.

* This provision of the statute as to goods concealed from view and of the character of which the carrier is not advised clearly prescribes the right of carriers under the direction or approval of the commission to provide for a graduation of rates in accordance with the declared value of the property transported. The liability provided by the rates so established by the commission is applicable no less to instances of loss or damage chargeable to the negligence of the carrier than to those occasioned by causes beyond the carrier's control. But the carriers may not contract to limit their liability for loss, damage or injury caused by them to property the character of which is manifested by the shipment itself or otherwise disclosed.

In this connection it has been suggested that the carrier might provide that in the event the shipper refused to declare the value the higher rates would apply. This suggestion cannot be approved. If the rate is lawfully conditioned upon the value as declared by the shipper, it is as much the shipper's duty to declare the true value of the shipment as it is his duty to declare the name of a commodity tendered for shipment as to which there are no different rates.

It is important to keep in mind that the carriers are not prohibited from making different rates dependent upon the value of different grades of a given commodity; that, except as covered

by the Cummins amendment, including approval of the rates by the commission, the carrier is subject to all of the liabilities imposed by that amendment; and that if, in any instance, the shipper declares the value to be less than the true value in order to get a lower rate than that to which he would otherwise be entitled, he violates, and is subject to the penalty prescribed in, section 10 of the act. The carrier would also be subject to the same penalty in such a case if, having knowledge that the value represented is not the true value, it nevertheless accepts the shipper's representation as to value for the purpose of applying the rate.

5. Do the terms of the Cummins amendment apply to the transportation of baggage?

This must apparently be answered in the affirmative. Transportation of baggage is a part of the contract for transportation of the passenger. The carriers have always limited their liability for loss or damage to baggage. The baggage check is the carrier's receipt for the baggage. The conditions attached to the carrier's liability are stated in the fare schedules and on passage tickets of contract form. In *National Baggage Committee vs. A., T. & S. F. Ry. Co.*, 32 I. C. C. 152, the commission considered the carrier's rules relative to charges and liabilities in the transportation of baggage and prescribed certain reasonable regulations, including reasonable insurance † charges upon baggage declared to be of greater value than the maximum limit provided in the schedules and contract for carriage. All ordinary personal or sample baggage is hidden from view by boxing, wrapping or other means, and the amended law seems clearly to recognize the carrier's right to fix conditions and terms applicable to the transportation of baggage dependent upon the value as declared by the person offering the baggage for transportation.

The necessity for revision of the bills of lading, live-stock contracts, and other similar contracts of carriage, as well as of certain parts of the carriers' classifications and rate schedules, is manifest. Bills of lading and shipping contracts can and ought to be at once amended by eliminating obviously unlawful and invalid provisions. Such action will obviate for the immediate future

† 33 I. C. C. R. 697.

numerous controversies that otherwise would probably arise. Proper analysis should be made of the classifications and tariffs to bring them into harmony with the amended law.

Such changes in classifications and rate schedules cannot be made upon statutory notice and become effective contemporaneously with the new law. Permission is therefore hereby given to carriers to make effective on June 2, 1915, upon not less than three days' notice to the public and to the commission, given in the manner prescribed in the act and in the commission's regulations, amendments to the classifications and rate schedules which eliminate provisions or rules that are in conflict with the terms of the new law, provided no such amendment has the effect of increasing any rate or charge for services.

If, in a proper manner and a proper proceeding, it shall be made to appear that, with regard to any commodity or commodities, the existing rates do not afford the carriers proper compensation for the services they perform and the risk which is imposed upon them, it could hardly be denied that the rates on such commodities might properly be increased in a sufficient amount to properly compensate the carriers for their added risk and liability. Where rates are lawfully based upon declared values the difference in rates should be no more than fairly and reasonably represents the added insurance. It does not appear that this amendment to the act affords justification for any increase in rates on commodities in general. As has been said, the carrier may not lawfully impose unreasonable rates upon one commodity in order to compensate it for risk or liabilities incurred in connection with the transportation of another commodity, and it is not to be forgotten that the liabilities here considered are only those for loss, damage or injury to the property caused by a carrier or its agents or employees; in other words, the loss, damage or injury resulting from the neglects or omissions of a carrier or its agents.

* The commission has been conducting an investigation with regard to bills of lading, entitled *In the Matter of Bills of Lading*, Docket No. 4844. Further hearings in that proceeding may be necessary in the light of the Cummins amendment. In that connection matters that have been informally presented and urged in this informal proceeding may be presented in a formal way,

supported by testimony, and a determination can there be reached on questions as to which the commission now has no information upon which it could base a lawful order. What is attempted here is simply to indicate the impressions gained from the experience had in the past and from the suggestions informally presented by those who are vitally interested in the effect of the Cummins amendment and the course to be pursued for the immediate future in the light thereof. All of the questions herein discussed are, of course, subject to judicial interpretation, and the views indicated herein might be somewhat changed in the light of more complete information supported by competent evidence.

The classification, tariffs, receipt and other forms used by the express companies have been prescribed by order of the commission. The new law, of course, applies to them as well as to other carriers. They have presented suggested changes in their rules and forms which will be disposed of by a supplemental order in the Express case.

HALL, *Commissioner*, concurring:

I concur in this report, but do not agree with the construction placed upon the proviso in the Cummins amendment in so far as it extends the exception created by that proviso beyond the meaning of the words used in their usual sense.

EXHIBIT B.

A BILL

RELATING TO BILLS OF LADING IN INTERSTATE AND FOREIGN COMMERCE.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That bills of lading issued by any common carrier for the transportation of goods in any territory of the United States, or the District of Columbia, or from a place in a state to a place in a foreign country, or from a place in one state to a place in another state, or from a place in one state to a place in the same state through another state or foreign country, shall be governed by this Act.

SEC. 2. That a bill in which it is stated that the goods are consigned or destined to a specified person is a straight bill.

SEC. 3. That a bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill is an order bill. Any provision in such a bill, or in any notice, contract, rule, regulation or tariff that it is nonnegotiable shall be null and void and shall not affect its negotiability within the meaning of this Act.

SEC. 4. That order bills issued in a state for the transportation of goods to any place in the United States on the Continent of North America, except Alaska and Panama, shall not be issued in parts or sets. If so issued, the carrier issuing them shall be liable for failure to deliver the goods described therein to anyone who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts: *Provided, however,* That nothing contained in this section shall be interpreted or construed to forbid the issuing of order bills in parts or sets for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries, or to impose the liabilities set forth in this section for so doing.

SEC. 5. That when more than one order bill is issued in a state for the same goods to be transported to any place in the United States on the Continent of North America, except Alaska and Panama, the word "duplicate," or some other word or words indicating that the document is not an original bill, shall be placed plainly upon the face of every such bill except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to anyone who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill: *Provided, however,* That nothing contained in this section shall in such case for such transportation of goods to Alaska, Panama, Porto Rico, the Philippines, Hawaii, or foreign countries be interpreted or construed so as to require the placing of the word "duplicate" thereon, or to impose the liabilities set forth in this section for failure so to do.

SEC. 6. That a straight bill shall have placed plainly upon its face by the carrier issuing it "nonnegotiable" or "not negotiable."

This section shall not apply, however, to memoranda or acknowledgments of an informal character.

SEC. 7. That the insertion in an order bill of the name of a person to be notified of the arrival of the goods shall not limit the negotiability of the bill or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

SEC. 8. That a carrier, in the absence of some lawful excuse, is bound to deliver goods upon a demand made either by the consignee named in the bill for the goods or, if the bill is an order bill, by the holder thereof, if such a demand is accompanied by—

(a) An offer in good faith to satisfy the carrier's lawful lien upon the goods;

(b) An offer in good faith to surrender, properly indorsed, the bill which was issued for the goods, if the bill is an order bill; and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier.

In case the carrier refuses or fails to deliver the goods, in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

SEC. 9. That a carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is—

(a) A person lawfully entitled to the possession of the goods, or

(b) The consignee named in a straight bill for the goods, or

(c) A person in possession of an order bill for the goods, by the terms of which the goods are deliverable to his order; or which has been indorsed to him, or in blank by the consignee, or by the mediate or immediate indorsee of the consignee.

SEC. 10. That where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to anyone having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section; and, though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he—

(a) Had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or

(b) Had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods.

Such request or information, to be effective within the meaning of this section, must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods.

SEC. 11. That except as provided in section 26, and except when compelled by legal process, if a carrier delivers goods for which an order bill had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to anyone who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier and notwithstanding delivery was made to the person entitled thereto.

SEC. 12. That except as provided in section 26, and except when compelled by legal process, if a carrier delivers part of the goods for which an order bill had been issued and fails either—

(a) To take up and cancel the bill, or

(b) To place plainly upon it a statement that a portion of the goods has been delivered with a description which may be in general terms either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill to anyone who for value and in good faith purchases it whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

SEC. 13. That any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing the same, either in writing or noted on the bill, shall be void, what-

ever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor.

SEC. 14. That where an order bill has been lost, stolen or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction; and upon the giving of a bond, with sufficient surety, to be approved by the court, to protect the carrier or any person injured by such delivery from any liability or loss incurred by reason of the original bill remaining outstanding, the court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees.

The delivery of the goods under an order of the court, as provided in this section, shall not relieve the carrier from liability to a person to whom the order bill has been or shall be negotiated for the value without notice of the proceedings or of the delivery of the goods.

SEC. 15. That a bill, upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed, plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability.

SEC. 16. That no title to goods or right to their possession asserted by a carrier for his own benefit shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien.

SEC. 17. That if more than one person claim the title or possession of goods, the carrier may require all known claimants to interplead, either as a defense to an action brought against him for nondelivery of the goods or as an original suit, whichever is appropriate.

SEC. 18. That if some one other than the consignee or the person in possession of the bill has a claim to the title or possession of the goods, and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods, either to the consignee or person in possession of the bill or to the adverse claimant, until the carrier has had a rea-

sonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

SEC. 19. That except as provided in the two preceding sections and in section 9 no right or title of a third person, unless enforced by legal process, shall be a defense to an action brought by the consignee of a straight bill or by the holder of an order bill against the carrier for failure to deliver the goods on demand.

SEC. 20. That when goods are loaded by a carrier such carrier shall count the packages of goods, if package freight, and ascertain the kind and quantity if bulk freight, and such carrier shall not, in such cases, insert in the bill of lading or in any notice, receipt, contract, rule, regulation or tariff "Shipper's weight, load and count," or other words of like purport, indicating that the goods were loaded by the shipper and the description of them made by him. If so inserted, contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein.

SEC. 21. That when goods are loaded by a shipper, at a place where the carrier maintains an agency, such carrier shall, on written request of such shipper, and when given a reasonable opportunity by the shipper so to do, count the packages of goods if package freight and ascertain the kind and quantity of bulk freight, within a reasonable time after such written request, and such carrier shall not, in such cases, insert in the bill of lading or in any notice, receipt, contract, rule, regulation or tariff "Shipper's weight, load and count," or other words of like purport indicating that the goods were loaded by the shipper and the description of them made by him. If so inserted, contrary to the provisions of this section, said words shall be treated as null and void and as if not inserted therein.

SEC. 22. That if a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to (a) the consignee named in a straight bill or (b) the holder of an order bill, who has given value in good faith, relying upon the description therein of the goods, for damages caused by the nonreceipt by the carrier of all or part of the goods or their failure to correspond with the description thereof in the bill at the time of its issue.

SEC. 23. That if goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner, and an order bill is issued for them, they cannot thereafter, while in the possession of the carrier, be attached by garnishment or otherwise or be levied upon under an execution unless the bill be first surrendered to the carrier or its negotiation enjoined. The carrier shall in no such case be compelled to deliver the actual possession of the goods until the bill is surrendered to him or impounded by the court.

SEC. 24. That a creditor whose debtor is the owner of an order bill shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such bill or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which cannot readily be attached or levied upon by ordinary legal process.

SEC. 25. That if an order bill is issued the carrier shall have no lien on the goods therein mentioned except for charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequent to the date of the bill, unless the bill expressly enumerates other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

SEC. 26. That after goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous, the carrier shall not thereafter be liable for failure to deliver the goods themselves to the consignee or owner of the goods, or to a holder of the bill given for the goods when they were shipped, even if such bill be an order bill.

SEC. 27. That an order bill may be negotiated by delivery where, by the terms of the bill, the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has indorsed it in blank.

SEC. 28. That an order bill may be negotiated by the indorsement of the person to whose order the goods are deliverable by the tenor of the bill. Such indorsement may be in blank or

to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

SEC. 29. That a bill may be transferred by the holder by delivery, accompanied with an agreement, express or implied, to transfer the title to the bill or to the goods represented thereby. A straight bill cannot be negotiated, and the indorsement of such a bill gives the transferee no additional right.

SEC. 30. That an order bill may be negotiated by any person in possession of the same, however such possession may have been acquired, if by the terms of the bill the carrier undertakes to deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.

SEC. 31. That a person to whom an order bill has been duly negotiated acquires thereby—

(a) Such title to the goods as the person negotiating the bill to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value; and

(b) The direct obligation of the carrier to hold possession of the goods for him according to the terms of the bill as fully as if the carrier had contracted directly with him.

SEC. 32. That a person to whom a bill has been transferred, but not negotiated, acquires thereby as against the transferor the title to the goods, subject to the terms of any agreement with the transferor. If the bill is a straight bill such person also acquires the right to notify the carrier of the transfer to him of such bill and thereby to become the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification.

Prior to the notification of the carrier by the transferor or transferee of a straight bill the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the transferor, or by a notification to

the carrier by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time, with the exercise of reasonable diligence, to communicate with the agent or agents having actual possession or control of the goods.

SEC. 33. That where an order bill is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

SEC. 34. That a person who negotiates or transfers for value a bill by indorsement or delivery, unless a contrary intention appears, warrants—

- (a) That the bill is genuine;
- (b) That he has a legal right to transfer it;
- (c) That he has knowledge of no fact which would impair the validity or worth of the bill;
- (d) That he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied if the contract of the parties had been to transfer without a bill the goods represented thereby.

SEC. 35. That the indorsement of a bill shall not make the indorser liable for any failure on the part of the carrier or previous indorsers of the bill to fulfill their respective obligations.

SEC. 36. That a mortgagee or pledgee or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security, whether from a party to a draft drawn for such debt or from any other person, shall not be deemed by so doing to represent or warrant the genuineness of such bill or the quantity or quality of the goods therein described.

SEC. 37. That the validity of the negotiation of a bill is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress, loss, theft or conversion, if the person to whom the bill was negotiated, or a person to whom the bill was subsequently negotiated, gave value therefor in good faith, without notice of the breach of duty, or fraud, accident, mistake, duress, loss, theft or conversion.

SEC. 38. That where a person, having sold, mortgaged or pledged goods which are in a carrier's possession and for which an order bill has been issued, or having sold, mortgaged or pledged the order bill representing such goods, continues in possession of the order bill, the subsequent negotiation thereof by that person under any sale, pledge or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

SEC. 39. That where an order bill has been issued for goods no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, whether such negotiation be prior or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage in transitu. Nor shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

SEC. 40. That, except as provided in section 39, nothing in this Act shall limit the rights and remedies of a mortgagee or lien holder whose mortgage or lien on goods would be valid, apart from this Act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

SEC. 41. That any person who, knowingly or with intent to defraud, falsely makes, alters, forges, counterfeits, prints or photographs any bill of lading, or with like intent utters or publishes as true and genuine any such falsely altered, forged,

counterfeited, falsely printed or photographed bill of lading, knowing it to be falsely altered, forged, counterfeited, falsely printed or photographed, or aids in making, altering, forging, counterfeiting, printing or photographing, or uttering or publishing the same, or issues or aids in issuing or procuring the issue of, or negotiates or transfers for value a bill which contains a false statement as to the receipt of the goods, or as to any other matter, or who, with intent to defraud, violates, or fails to comply with, or aids in any violation of, or failure to comply with any provision of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding \$5,000, or both.

SEC. 42. That in any case not provided for in this Act the rules of law and equity, including the law merchant, shall govern.

SEC. 43. First. That in this Act, unless the context or subject matter otherwise requires—

“Action” includes counterclaim, set-off, and suit in equity.

“Bill” means bill of lading governed by this Act.

“Consignee” means the person named in the bill as the person to whom delivery of the goods is to be made.

“Consignor” means the person named in the bill as the person from whom the goods have been received for shipment.

“Goods” means merchandise or chattels in course of transportation or which have been or are about to be transported.

“Holder” of a bill means a person who has both actual possession of such bill and a right of property therein.

“Order” means an order by indorsement on the bill.

“Owner” does not include mortgagee or pledgee.

“Person” includes a corporation or partnership, or two or more persons having a joint or common interest.

To “purchase” includes to take as mortgagee and to take as pledgee.

“Purchaser” includes mortgagee and pledgee.

“State” includes any territory, district, insular possession or isthmian possession.

Second. A thing is done “in good faith” within the meaning of this Act when it is in fact done honestly, whether it be done negligently or not.

SEC. 44. That the provisions of this Act do not apply to bills made and delivered prior to the taking effect thereof.

SEC. 45. That the provisions and each part thereof and the sections and each part thereof of this Act are independent and severable, and the declaring of any provision or part thereof, or provisions or part thereof, or section or part thereof, or sections or part thereof, unconstitutional shall not impair or render unconstitutional any other provision or part thereof, or section or part thereof.

SEC. 46. That this Act shall take effect and be in force on and after the first day of January next after its passage.

EXHIBIT C.

REPORT OF THE SUB-COMMITTEE OF THE GENERAL COMMITTEE ON UNIFORMITY OF LAWS RELATING TO TRADE, COMMERCE AND INTERNATIONAL COURT, APPOINTED TO CONSIDER AND REPORT UPON (1) THE SUBJECTS TO BE DEALT WITH BY THE GENERAL COMMITTEE, AND (2) THE ORGANIZATION NECESSARY TO CARRY INTO EFFECT THE RESOLUTIONS OF THE CONFERENCE.

I. SUBJECTS.

The sub-committee has not taken into consideration the subject of transportation, which should, in its opinion, be kept separate and distinct and be dealt with independently.

The subjects which should, in the opinion of the sub-committee, be dealt with in the report of the committee to the Conference are:

1. The establishment of a gold standard of value.
2. Bills of exchange, commercial paper, and bills of lading.

(Note the results of the two European conferences on these subjects.)

3. Uniform (a) classification of merchandise, (b) customs regulations, (c) consular certificates and invoices, (d) port charges.

(See the report adopted by the Fourth International American Conference, at Buenos Aires, 1910.)

4. Uniform regulations for commercial travelers.

Consider in this relation the question of a certificate to be issued by the proper department of the government of the country from which the traveler comes that the bearer is a bona fide commercial traveler, this certificate to be properly viséed.

5. To what extent further legislation may be necessary concerning trade-marks, patents and copyrights. (See the treaties adopted by the Fourth International American Conference.)

6. The establishment of a uniform low rate of postage and of charges for money orders and parcels post between the American countries.

7. The extension of the process of arbitration for the adjustment of commercial disputes.

II. ORGANIZATION.

1. That for the purpose of carrying into effect the resolutions of the Conference, and particularly for bringing about uniformity of laws on the subjects embraced in those resolutions, there be established an international high commission, to be composed of not more than nine members, resident in each country, to be appointed by the minister of finance of such country. The aggregate members thus appointed shall constitute the commission.

2. That for the purpose of aiding the International High Commission and co-ordinating its work there be created in the Pan American Union a bureau, whose chief shall receive a salary of not less than \$5000 (gold) per annum; and it is recommended that, in view of his initiative in bringing about the conference, the governing board of the Pan American Union invite the Hon. William G. McAdoo, Secretary of the Treasury of the United States, to suggest the name of the first chief of this bureau. Expenses of the bureau, including the salaries of the chief and his assistants, to be paid by the Pan American Union, in whose budget a corresponding increase shall be included.

3. The American governments are requested to instruct their diplomatic and consular officers and their commercial attachés to co-operate with the International High Commission and with the bureau.

The bureau shall be authorized to obtain in each country such expert assistance as may be necessary to the prosecution of its

work, the expenses thus incurred to be treated as a part of the expenses of the bureau.

4. The bureau shall make to the governing board of the Pan American Union, for distribution among the governments concerned, and to the International High Commission, an annual report.

The bureau shall make to the next International American Conference a full report of its proceedings up to that time, with recommendations as to future work.

HON. WILLIAM C. REDFIELD, *Chairman*.

SAMUEL HALE PEARSON.

IGNACIO CALDERON.

AMARO CAVALCANTI.

LUIS IZQUIERDO.

SANTIAGO PEREZ TRIANA.

ROBERTO ANCIZAR.

JOHN M. KEITH.

PABLO DESVERNINE Y GALDOS.

FRANCISCO J. PEYNADO.

VICENTE GONZALEZ.

JUAN S. LARA.

LEOPOLD CORDOVA.

PEDRO RAFAEL CUADRA.

RAMON F. ACEVEDO.

WILLIAM WALLACE WHITE.

ISAAC ALZAMORA.

ALFONSO QUIÑONES.

CARLOS MARIA DE PENIA.

PEDRO RAFAEL RINCONES.

Members representing the United States:

CHARLES S. HAMLIN.

JOHN BARRETT.

CHARLES A. CONANT.

D. R. FRANCIS.

JOHN HAYS HAMMOND.

JOHN BASSETT MOORE.

GEORGE N. NUMSEN.

W. L. SAUNDERS.

WILLARD STRAIGHT.

SAMUEL UNTERMYER.

REPORT
OF THE
COMMITTEE ON INTERNATIONAL LAW.

To the American Bar Association:

Your Standing Committee on International Law respectfully submits its annual report. Its report of last year went no further than August 5, the discussion of the great European and Asian War being deemed inexpedient in view of the President's proclamation of absolute neutrality. It is the purpose of your committee to adhere to the attitude of absolute neutrality invoked by the President.

In accordance with its practice of many years, it has tabulated and briefly enumerates the treaties negotiated, confirmed, or proclaimed by the United States and the main incidents affecting the international relations of our country since the preceding report:

1914.

August 6. *Nicaragua—United States.* A new Nicaraguan Canal Treaty was signed.

Rev. of Revs. (N. Y.), 50, 294.

American Journal Int. Law, Vol. 8, p. 894.

August 7. *European War.* The United States announced its neutrality in the war between Austria and Russia.

American Journal Int. Law, Vol. 8, p. 894.

August 9. *European War.* Great Britain issued a list of articles she would treat as contraband of war.

American Journal Int. Law, Vol. 8, p. 894.

August 10. *European War.* Germany issued a list of articles she would treat as contraband of war.

R. Gesetz., No. 50, 1914.

American Journal Int. Law, Vol. 8, p. 894.

August 11. *European War*. The United States issued a statement dealing with questions of neutrality in answer to complaints filed with the Department of State.

Senate Doc. No. 363, 63d Cong., 2d Sess.

American Journal Int. Law, Vol. 8, p. 894.

August 13. *United States*. The Senate advised the ratification of 18 treaties for the advancement of peace, being with the Argentine Republic, Bolivia, Brazil, Chile, Costa Rica, Denmark, Guatemala, Honduras, Italy, Netherlands, Nicaragua, Norway, Persia, Portugal, Salvador, Switzerland, Uruguay and Venezuela. The treaties with the Dominican Republic and Panama were not acted upon.

Washington Post, August 14, 1914.

American Journal Int. Law, Vol. 8, p. 895.

August 14. *Nicaragua—United States*. Five hundred United States marines were landed at Bluefields, with consent of Nicaragua, to preserve order.

Rev. of Revs. (N. Y.), 50, 244.

American Journal Int. Law, Vol. 8, p. 895.

August 14. *European War*. United States announced its neutrality in the war between Austria and France.

American Journal Int. Law, Vol. 8, p. 895.

August 15. *European War*. Announcement made that the United States Government would look with disfavor on loans by American bankers to any nation engaged in the European War.

New York Times, August 16, 1914.

American Journal Int. Law, Vol. 8, p. 895.

August 18. *European War*. The United States announced its neutrality in the war between Belgium and Germany.

American Journal Int. Law, Vol. 8, p. 895.

August 18. *United States*. The President signed the amendment to the Panama Canal Act under which foreign-built ships may be admitted to American registry for the overseas trade.

August 20. *European War—Great Britain*. Order in Council announcing that Great Britain, France and Russia will observe the provisions of the declaration of London with certain modifications as regards contraband and conditional contraband of war.

London Gazette, 28879.

August 21. *Salvador—United States*. Ratifications exchanged of the agreement of May 13, 1914, extending the duration of the Arbitration Treaty of December 21, 1908.

English and Spanish Texts, U. S. Treaty Series No. 596.

American Journal Int. Law, Vol. 8, p. 896.

August 24. *European War*. The United States announced its neutrality in the war between Germany and Japan.

American Journal Int. Law, Vol. 8, p. 896.

August 25. *European War—France*. Decree announcing that provisions of declaration of London will be followed in present hostilities.

J. O., August 26, 1914.

London Gazette, 28879.

September 1. *European War*. The United States announced its neutrality in the war between Austria and Belgium.

American Journal Int. Law, Vol. 8, p. 896.

September 2. *European War*. The President of the United States signed the act guaranteeing shipping against war risks. The bureau provided for thereby was opened September 28. For list of contraband see

New York Times, September 29, 1914.

American Journal Int. Law, Vol. 8, p. 896.

September 4. *European War*. The Emperor of Germany sent a message to the President of the United States protesting against alleged atrocities of the Allied troops. Text: Washington Post, September 1, 1914. The President's reply September 16, 1914, Washington Post, September 17, 1914.

American Journal Int. Law, Vol. 8, p. 897.

September 10. *European War*. Turkey repudiated the capitulations. These are a series of conventions, treaties and privileges, beginning in 11th century, exempting foreigners in the Ottoman Empire from local jurisdiction, civil or criminal. They accord extraterritorial jurisdiction to the representatives of foreign countries over their nationals in Turkey. The United States protested against such repudiation, as did many other powers.

Washington Post, September 11 and 17.

American Journal Int. Law, Vol. 8, p. 897.

September 14. *European War—Russia*. Under imperial ukase Russia announced that the provisions of the declaration of London will be observed by Russia during the present war, subject to the modifications adopted by the British and French Governments as declared in the British Order in Council of August 20, 1914, and the French Decree of August 25, 1914.

London Gazette, 28918.

September 15. *Mexico—United States*. The President of the United States ordered the withdrawal of the U. S. troops from Vera Cruz.

Washington Post, September 16, 1914.

American Journal Int. Law, Vol. 8, p. 897.

September 17. *European War*. The Belgian Commission presented to the President. U. S. extended evidences as to atrocities committed by the Germans in the present war.

New York Times, September 17, 1914.

American Journal Int. Law, Vol. 8, p. 897.

September 19. *Abyssinia—United States*. Commercial treaty proclaimed. This treaty was signed June 19, 1914, provides that treaty shall go into effect upon ratification by the U. S. and upon such notification to Ethiopia.

September 21. *European War*. The United States issued a statement showing the status of armed merchant vessels.

Washington Post, September 21, 1914.

American Journal Int. Law, Vol. 8, p. 897.

September 21. *European War*. Order in Council announcing proclamation adding to list of contraband of war.

London Gazette, 28910.

October 1. *Russia—United States*. Treaty signed for the advancement of peace. Ratification advised by the Senate October 14, 1914.

American Journal Int. Law, Vol. 9, p. 224.

October 10. *Panama—United States*. Protocol of agreement signed as to hospitality to be shown belligerent ships in their respective jurisdictions.

Eng. and Span. Texts, U. S. Treaty Series No. 597.

American Journal Int. Law, Vol. 9, p. 225.

October 13. *Guatemala—United States*. Ratifications exchanged of treaty for the advancement of peace.

Eng. and Span. Texts, U. S. Treaty Series No. 598.

American Journal Int. Law, Vol. 9, p. 225.

October 13. *China—United States*. The United States Senate advised the ratification of the treaty for the advancement of peace. Signed July 24, 1914.

Washington Post, October 14.

American Journal Int. Law, Vol. 9, p. 225.

October 13. *Ecuador, Greece—United States*. Treaties signed between United States and Ecuador and United States and Greece for the advancement of peace. Ratification of these treaties advised by the United States Senate, October 20, 1914.

October 15. *European War—United States*. The Department of State of the United States issued a statement as to neutrality and trade in contraband of war showing that such trade by individuals is lawful and that the nation has no obligation and the Executive has no power to prevent it, except that Congress has authorized the President to declare an embargo on the export of arms and ammunition to neighboring American Republics, and except that the outfitting or furnishing vessels in American ports or of military expeditions on American soil in aid of belligerents is prohibited by the Neutrality Statutes of the United States.

American Journal Int. Law, Vol. 9, p. 226.

Full text, Sup. American Journal Int. Law, Vol. 9, p. 122.

October 19. American marines landed at Cape Haitien, Haiti, to maintain order, after the town had been seized by revolutionists.

Rev. of Revs. (N. Y.), 50, 545.

October 21. *Norway—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed June 24, 1914.

English and Norwegian Texts, U. S. Treaty Series No. 599.

American Journal Int. Law, Vol. 9, p. 226.

October 24. *Portugal—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed February 4, 1914.

Portuguese and English Texts, U. S. Treaty Series No. 600.

American Journal Int. Law, Vol. 9, p. 226.

October 24. *Portugal—United States*. Ratifications exchanged of treaty extending duration of Arbitration Treaty of April 6, 1908.

Portuguese and English Texts, U. S. Treaty Series No. 601.

American Journal Int. Law, Vol. 9, p. 226.

October 29. *European War*. Great Britain gave notice that she would not recognize the article of the declaration of London exempting conditional contraband of war from seizure when destined for neutral ports.

London Gazette, 28957.

American Journal Int. Law, Vol. 8, p. 898.

November 6. *France*. Decree relative to the application of rules of international maritime law to the present war.

J. O., November 7, 1914.

November 10. *Great Britain—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed September 15, 1914.

Text, U. S. Treaty Series No. 602.

American Journal Int. Law, Vol. 9, p. 207.

November 12. *Costa Rica—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed February 13, 1914.

Spanish and English Texts, U. S. Treaty Series No. 603.

American Journal Int. Law, Vol. 9, p. 227.

November 12. *Costa Rica—United States*. Agreement extending duration of Arbitration Convention of January 13, 1909, for five years.

Spanish and English Texts, U. S. Treaty Series No. 604.

American Journal Int. Law, Vol. 9, p. 227.

- November 13. The United States issued a proclamation as to the neutrality of the Panama Canal Zone and Panama.
American Journal Int. Law, Vol. 9, p. 228.
- November 23. United States State Department announced that Turkey had made satisfactory explanation of the Smyrna incident of November 16. The shot was fired at the launch of the *Tennessee* to warn her away from mine fields.
R. of R., 51, 27, January.
- December 1. *Spain—United States*. Ratifications exchanged of treaty for advancement of peace, signed September 15, 1914.
English and Spanish Texts, U. S. Treaty Series, No. 605.
American Journal Int. Law, Vol. 9, p. 228.
- December 7. *France—United States*. French decree approving parcel post convention between French Guiana and the United States. Signed August 21, 1914.
J. O., December 14, 1914.
- December 16. The United States Senate ratified with amendment the International Convention for safety of life at sea. Signed at London, January 2, 1914.
Washington Star, December 11, 1914.
American Journal Int. Law, Vol. 9, p. 228.
- December 21. *Spain—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed September 15, 1914.
English and Spanish Texts, U. S. Treaty Series No. 605.
- December 21. *European War.—Russia*. Official bulletin of the laws published Imperial decree dated December 8-21, 1914, revising decree of September 1-14, 1914, concerning application of regulations of naval warfare as drawn up by declaration of London.
English Text, London Gazette, No. 29159.
- December 26. *United States—Great Britain*. The United States protested against British interference with American trade. Text of American note and British preliminary reply in Congressional Record, January 13, 1915.
American Journal Int. Law, Vol. 9, p. 229.

December 28. *Great Britain*. Proclamation adding to list of contraband of war.

London Gazette 29016.

1915.

January 1. *Chile—United States*. The Chilean Senate approved the Arbitration Treaty.

P. A. U., 40, 122.

January 2. *European War*. Five German reservists taken off Norwegian-American liner *Bergenfjord* in New York harbor and placed under arrest for passport frauds.

New York Times History of the War, p. 1023.

January 7. *European War—Great Britain*. Preliminary note in answer to the American protests of December 26 handed American Ambassador.

Text, New York Times History of the War, Vol. 1, Part 6.

By agreement it was not made public until January 10.

January 7. *European War*. United States informed the German Ambassador that the United States cannot investigate the German charge that the British use dum-dum bullets.

New York Times History of the War, p. 1020.

January 8. *Bolivia—United States*. Ratifications exchanged of treaty for the advancement of peace, signed January 22, 1914.

Spanish and English Texts, U. S. Treaty Series No. 606.

January 11. *Sweden—United States*. Ratifications exchanged of treaty signed October 13, 1914, for the advancement of peace.

English and Swedish Texts, U. S. Treaty Series No. 607.

January 19. *Denmark—United States*. Ratifications exchanged of treaty for advancement of peace. Signed April 17, 1914.

English and Danish Texts, U. S. Treaty Series No. 608.

January 24. *European War*. The Secretary of State of the United States in a letter to Senator Stone reviewed and declared the policy of the United States in the present war.

Times, January 26, 1915.

Senate Document 716, 63d Cong., 3d Sess.

January 25. *European War—Germany.* Secretary Bryan made public the text of Germany's notifications as to exequateurs granted by Belgium to foreign consular representatives and the reply of the United States.

New York Times, January 25.

January 22. *France—United States.* Ratifications exchanged of the treaty for advancement of peace. Signed September 15, 1914.

French and English Texts, U. S. Treaty Series No. 609.

February 2. *European War.* Great Britain announced that all grain and flour shipments to Germany, even if intended for non-combatants, would be seized. This because of the German Government's announced intention to take over and regulate the distribution of these commodities.

February 2. A German, Werner Van Horn, attempted to blow up the Canadian Pacific Railroad bridge between Vanceboro, Maine, and New Brunswick. He was arrested and sentenced to 30 days in jail on technical charge of injuring property in Vanceboro. Upon his release he was rearrested on Federal indictment and taken to Boston. His extradition was asked for by the British Ambassador but it is understood no action will be taken until the disposal of the case by the Federal authorities.

February 3. *Great Britain—United States.* British order in Council issued, extending to Australia, Canada, New Zealand, Union of South Africa and Newfoundland the provisions of the Copyright Act of 1911, by agreement with the United States.

London Gazette No. 29060.

February 4. *Germany.* Proclamation by the German Admiralty that, after February 18, 1915, the waters around Great Britain and Ireland would be in a state of blockade. Neutral ships were warned that they were in danger from submarines which might not be able to distinguish them from belligerent ships.

Text of Memo., Washington Post, February 7, 1915.

February 6. *Great Britain—United States.* The English liner *Lusitania*, being warned of the presence of German submarines in the Irish Sea, hoisted the American flag "for the protection of neutral passengers and cargo."

New York Times, February 7, 1915.

February 10. *Great Britain—United States.* The United States addressed a note to Great Britain in regard to the use of the American flag.

Text, New York Times, February 12.

February 10. *United States—Germany.* The United States addressed a note to Germany in regard to the safety of American ships in war zone proclaimed February 4 by the German Admiralty.

Text, New York Times, February 12.

February 11. *Panama—United States.* Boundary convention between the Republic of Panama and the United States of America.

Spanish and English Texts, U. S. Treaty Series No. 610.

February 12. *Opium Convention.* United States, Netherlands and China ratify and put into effect the Opium Convention. Washington Star, February 12, 1915.

February 16. *European War.* Great Britain seized the American ship *Wilhelmina*, bound for a German port with a cargo of wheat for civilian consumption. The seizure occurred in Falmouth harbor where the *Wilhelmina* sought shelter from a storm. Negotiations are under way for the purchase of the cargo by England.

February 16. *European War.* Germany in a communication sent through the American Ambassador at London, offers to abandon the war on merchant vessels if Great Britain will permit the free movement of foodstuffs to the civil population of Germany.

February 17. *European War.* Great Britain made a second and more complete reply to the United States note of December 26.

February 17. Great Britain answered the shipping protest of the United States of December 28.

Text in New York Times, February 18, 1915.

February 18. *European War*. German war zone declaration went into effect at midnight February 17.

Text in New York Times, February 18, 1915.

February 20. *European War*. The United States addressed identic notes to Great Britain and Germany respecting the establishment of war zones, blockades and embargoes. On March 5 and 8 notes were addressed to Great Britain and France on the subject of the embargo against supplies for Germany. Text of all notes and replies from Germany, France and Great Britain.

New York Herald, March 18, 1915.

February 24. *United States—Uruguay*. Ratifications exchanged of a treaty for advancement of peace. Signed July 20, 1914.

Spanish and English Texts, U. S. Treaty Series No. 611.

February 25. *European War*. Great Britain proclaimed a blockade of the coast of German East Africa as from February 25.

Text, Washington Post, February 26, 1915.

London Gazette No. 29084.

February 27. *European War—France*. The American steamer *Dacia*, formerly of the Hamburg-American Line, was seized by a French cruiser and taken into Brest as a prize. France is negotiating the purchase of the cargo of the *Dacia*.

New York Times, March 1-2, 1915.

March 1. *European War*. Great Britain and France declared all commercial intercourse by sea between Germany, Austria and Turkey and other nations prohibited. Cargoes now at sea are exempt. All vessels not destined to English or French ports will be detained but not confiscated. Text of identic notes of Great Britain and France.

Washington Herald, March 2, 1915.

New York Times, March 2, 1915.

London Gazette No. 29102.

March 2. *European War*. Text of German reply to American note of February 22, 1915.

New York Herald, March 2, 1915.

March 3. *Opium Convention*. Proclamation of the convention and final protocol between the United States and other powers relating to the suppression of the abuse of opium and

other drugs, signed at The Hague, January 23, 1912, and July 9, 1913, ratifications of which were deposited at The Hague by the United States, December 10, 1913.

French and English Texts, U. S. Treaty Series No. 612.

March 4. *United States*. The President signed the "Seamen's Bill," said to conflict with treaties with most maritime nations.

March 4. *Peru—United States*. Ratifications exchanged of the treaty for the advancement of peace. Signed July 14, 1914.

Spanish and English Texts, U. S. Treaty Series No. 613.

March 8. *Great Britain—Prize Court*. Held in case of 1000 tons copper sent from United States to Gothenburg, Sweden, seized by British Government, that the copper being for the neutral government of Sweden cannot be requisitioned by a belligerent.

New York Times, March 9, 1915.

New York Sun, March 9, 1915.

March 9. *Paraguay—United States*. Ratifications exchanged of treaty for the advancement of peace. Signed August 29, 1914.

Spanish and English Texts, U. S. Treaty Series No. 614.

March 10. *Germany—United States*. The German cruiser *Eitel Friedrich* came into Newport News, Va., for supplies and repairs. She brought the crews of British, French and Russian ships sunk by her, also the crew of the American ship *William P. Frye* which she sunk January 28 with her cargo of grain. The *Eitel Friedrich* was interned April 7 and on April 8 the German Government agreed to indemnify the owners of the *Frye*.

New York Times, March 11, 1915.

New York Times, April 8-9, 1915.

March 11. *European War—Great Britain*. Additional list of contraband.

London Gazette Nos. 29097, 29098.

March 11. *Great Britain*. Order in Council declaring a blockade against Germany in retaliation for the German declaration of a blockade of the waters around the British Islands.

London Gazette No. 29102.

March 16. *European War*. The German Prize Court at Hamburg rejects a claim for damages for loss of neutral goods sunk with a British ship.

New York Times, March 17, 1915.

March 18. *European War*. Texts of notes of the United States to France, Great Britain and Germany, with replies, respecting establishment of war zones, blockades, German Admiralty order of February 4 and British Order in Council published March 15.

New York Times, March 18, 1915.

March 19. *Italy—United States*. Ratifications exchanged of treaty for advancement of peace. Signed May 5, 1914.

Italian and English Texts, U. S. Treaty Series No. 615.

March 31. *Great Britain*. In contending in the prize court in favor of requisitioning a cargo of foodstuffs on the American steamer *Wilhelmina*, Solicitor for the Crown introduced a hitherto unpublished Order in Council providing that the Crown might requisition any neutral ship. This changes Rule 28, March 9; the prize court had held copper bound to Sweden for the Swedish Government could not be requisitioned and used prior to condemnation.

New York Times, April 13.

New York Herald, April 1.

April 4. *Germany—United States*. The German Ambassador handed a note to the Department of State relating to the neutrality of the United States.

New York Times, April 10.

April 21. *Germany—United States*. The United States Government answered the note of the German Ambassador of April 4.

Text of reply, New York Times, April 22.

April 28. *United States—Germany*. The United States sent a note to Germany accepting the offer to pay for the *William Frye* on the ground of the violation of the Treaty of 1828 only.

New York Times, April 29-30.

May 1. *European War*. The German Embassy published in the American newspapers a warning to Americans not to travel in English vessels.

- May 7. *European War*. The Cunard liner *Lusitania* was torpedoed off Kinsale, Ireland, at 2 P. M., by a German submarine without summons and sank with great loss of life. One hundred and fifteen Americans perished.
- May 14. *European War*. The United States Government gave out the text of a note to the German Government through the American Ambassador in Berlin stating the position of the United States as to the sinking of the *Lusitania* and denying the right of a belligerent to sink merchant vessels without warning and without putting in safety crew and passengers.
Text, New York Times, Herald, Sun, May 14, 1915.
- May 22. *The Pan-American Financial Congress*. The Pan-American Financial Congress met at Washington, D. C. It took steps to promote facilities for transportation and for uniformity of laws among the nations represented.
- May 24. *European War—United States*. Neutrality proclamation issued covering Italy's entry into the European War.
New York Times, May 26, 1915.
- May 28. *European War*. Note sent to Germany on the subject of the *Cushing* and *Gulflight*. Answer received from Germany, June 4.
New York Times, June 5.
New York Herald, June 5.
- May 31. *European War*. The German Government replied to the note of the United States explaining attacks on the American steamers *Cushing* and *Gulflight* saying that "the German Government has no intention of submitting neutral ships in the war zone, which are guilty of no hostile acts, to attacks by a submarine, or submarines or aviators." It intimates regret and indemnification in case of mistake where the injured ship was not in fault. It suggests reference to the International Commission of Inquiry as provided by The Hague agreement, if necessary. As to the sinking of the *Lusitania*, it suggests that she was an auxiliary British cruiser, carrying guns, that the British Admiralty had instructed British merchantmen to attack submarines by ramming and offered prizes therefor and that the *Lusitania* could not be therefore recognized as "undefended." That

she further carried Canadian troops and war material. That the German Government was therefore justified in attacking her. That her sudden sinking is attributed to the explosion of the ammunition on board caused by a torpedo. It does not make this a final answer.

June 2. *Mexico*. The President communicated to the leaders of all Mexican factions, notice that unless they compose the internal disorders of Mexico and secure order some other means will be found by the United States.

Washington Post, June 2, 1915.

June 4. *Germany—United States*. Germany expressed regret at the torpedoing of the American vessel *Gulflight*, said she was mistaken for a belligerent and promised full compensation, also expressed regret at the attack on the *Cushing* and requested further facts.

Your committee is compelled to file its report at this date, though incidents of international significance are of daily occurrence.

They express the hope that the rules of international law, founded as they are on the obligations of humanity and of justice, may recover and reassert their beneficent authority.

The violence of the present almost world-wide war has tended to stifle but cannot abolish principles so deeply planted in human necessity. They earnestly hope that the efforts of the Government of the United States addressed, to the maintenance of neutral rights and of international humanity and justice, may help to limit the severities of war, which have so notably increased, and tend to restore peace to the nations whose struggle afflicts the world.

CHAS. NOBLE GREGORY, *Chairman*,
JAMES BROWN SCOTT,
THEODORE S. WOOLSEY,
CHARLES CHENEY HYDE,
MATHEW GERING,

June 8, 1915.

REPORT
OF THE
COMMITTEE ON INSURANCE LAW.

To the American Bar Association:

At the annual meeting of 1913, the Association directed the Committee on Insurance Law to co-operate with the Senate and House Committees of Congress on the District of Columbia, in the preparation of a so-called model insurance code for the District of Columbia. This action was with the design that such a code, after its approval by the Association, might be enacted into law by the Congress and adopted by the several states.

Since the 1913 meeting of the Association, this committee has been at work on the proposed code. After several meetings and much discussion, a tentative draft of a proposed law was printed and widely circulated among insurance lawyers and officials, but the committee reported at the 1914 meeting of the Association that it was not ready to report the code to the Association.

The Association at the 1914 meeting instructed this committee to continue the work of preparing the proposed code, and to report it, when completed, to the Association and to the Senate and House Committees on the District of Columbia.

During the last year the committee has devoted considerable time in attempting to perfect the code. At the meeting of the committee in May, amendments and modifications were approved. The committee is now considering further changes and an amended draft of the code will soon be prepared, printed and distributed. The committee desires more time for further criticisms and suggestions. The nature and comprehensive scope of the code require much time for deliberation over its many provisions.

The committee, therefore, is not ready to report a bill, and we recommend that this committee be authorized to continue the work of preparing the proposed model code for the regulation of insurance in the District of Columbia, and instructed to report

the proposed code, when it is completed by the committee, to the Association and to the Senate and House Committees on the District of Columbia.

ARTHUR I. VORYS,
ASHLEY COCKRILL,
CHARLES W. FARNHAM,
ARCHIBALD G. THACHER,
RODNEY A. MERCUR.

June 14, 1915.

REPORT

OF THE

COMMITTEE ON UNIFORM STATE LAWS.

To the American Bar Association:

Your Committee on Uniform State Laws has the honor to report its activities for the year last passed as follows:

First: The members of your committee availing themselves of the continued and painstaking efforts of the Conference of Commissioners on Uniform State Laws, with which they are closely affiliated, and some of whose commissioners are members of this committee, have grasped all the opportunities which presented themselves to bring about uniformity of statutory laws throughout the country, and with corresponding zeal have put forth increased endeavors to bring to the attention of the courts of record throughout the various states, the purposes which the Conference of Commissioners and this Committee on Uniform State Laws are serving, to the end that the courts having in mind their accomplishment, might apply in the rendition of their decisions, such rules of interpretation and take such cognizance of the decisions of other states, than their own, under the various provisions of the uniform acts, as will be most calculated to carry forward the general principle of uniformity.

Second: The fact that the committee has presented for your consideration four new uniform acts, is due to the gratifying consummation of the work of the Conference of Commissioners on Uniform State Laws, and of your committee, extending over periods ranging from two years in the case of the Uniform Cold Storage Act to 12 years in the case of the Uniform Partnership Act. In the consideration, study and discussion of the Uniform Partnership Act, Uniform Workmen's Compensation Act, Uniform Cold Storage Act, Uniform Act Relating to the Acknowledgment of Deeds and other Instruments taken Outside the United States, with substantial continuity during the periods above defined, your committee and the Conference have enjoyed

the benefit of the services not only of the specially appointed official representatives of the various states, but of many business men of affairs and other lawyers especially interested in, and conversant with, the various subjects dealt with in the respective acts. Pursuant to regular and usual procedure, invitations have been extended by the various committees of the Conference of Commissioners to all those who might by certainty, or by any chance, have a special knowledge or experience to impart to the sub-committee having these matters in charge. The caution and painstaking thoroughness with which the work of the Conference of Commissioners and of your committee has been prosecuted, is, as it would seem, amply disclosed by a reference to the fact that your committee has not given its final approval to any of the four acts in question, until years of study, investigation and discussion had been employed upon each and every one of them.

Your committee extends to you, therefore, the assurance that the acts as now presented to you, represent the mature judgment, best experience, conscientious effort and ripe conclusions, seasoned by the time which had been allowed to lapse since their initiation. In order that the results of these efforts may be presented to you in concrete form, copies of the said four uniform acts are annexed hereto, and marked, respectively, "Exhibit A," "Exhibit B," "Exhibit C" and "Exhibit D."

Third: It may be of interest to this Association to note that the first uniform act approved by this body has now been adopted in 47 states, territories, federal districts and possessions.

Fourth: There has been adopted the Uniform Warehouse Receipts Act in 31 states, territories, federal districts and possessions, and since the last meeting of this Association, one additional state has adopted the Uniform Sales Act, making the number of states, territories, federal districts and possessions which have put this act upon their statute books 12.

Fifth: Similar and commensurate progress has been made in the adoption by the various states of the Stock Transfer Act, Bills of Lading Act and Child Labor Act.

Sixth: As was to be expected, the apparent progress of the work of your committee has been much more rapid in the last four or five years, than in the whole of its preceding history of about 20 years. It was to be expected that much patience and apparently unrewarded endeavor would have to be expended in

preparing the ground. It was a long, tedious, and oftentimes discouraging work to induce the various legislatures throughout the country to recognize the importance of the movement for uniformity, and thereafter to avail themselves of the drafts of acts produced as a result of the labors of your committee in this behalf. It may now, however, with confidence, be said that the movement has met with general and thoroughgoing approval throughout the country, an approval which is manifested in many ways, and not least by the cordial commendation given to the uniform acts by judges throughout the country in their opinions on cases which have been before them in the last three or four years for their determination.

Seventh: Much has been done, but much remains to be accomplished, and your committee very earnestly bespeaks continued co-operation of every member of this Association, wherever he may be practising his chosen profession, in the effort which we are making to bring about uniformity, both by statutory enactment and judicial decision.

Eighth: Your committee, therefore, recommends the adoption of the following resolution:

Resolved, That the Uniform Partnership Act, the Uniform Workmen's Compensation Act, the Uniform Cold Storage Act, and the Uniform Act Relating to the Acknowledgment of Deeds and other Instruments taken Outside the United States, having been heretofore approved and recommended by the Conference of Commissioners on Uniform State Laws, be, and the same are hereby approved by this body, and recommended to the legislatures of the various states for enactment into law.

All of which is respectfully submitted.

CHARLES THADDEUS TERRY, *Chairman*, New York, N. Y.,
FREDERICK G. BROMBERG, Mobile, Ala.,
ROYAL A. GUNNISON, Juneau, Alaska,
M. G. CUNNIFF, Phoenix, Ariz.,
GEORGE B. ROSE, Little Rock, Ark.,
CHARLES MONROE, Los Angeles, Cal.,
HARRY EUGENE KELLY, Denver, Col.,
WALTER E. COE, Stamford, Conn.,
DAVID T. MARVEL, Wilmington, Del.,
CHARLES W. NEEDHAM, Washington, D. C.,
WILLIAM A. BLOUNT, Pensacola, Fla.,
JOS. HANSELL MERRILL, Thomasville, Ga.,

DAVID L. WITHINGTON, Honolulu, Hawaii,
FREMONT WOOD, Boise, Idaho,
ERNST FREUND, Chicago, Ill.,
MERRILL MOORES, Indianapolis, Ind.,
JERRY B. SULLIVAN, Des Moines, Iowa,
CHARLES W. SMITH, Stockton, Kans.,
EDMUND F. TRABUE, Louisville, Ky.,
W. O. HART, New Orleans, La.,
P. H. GILLIN, Bangor, Me.,
HENRY STOCKBRIDGE, Baltimore, Md.,
SAMUEL WILLISTON, Cambridge, Mass.,
GEORGE W. BATES, Detroit, Mich.,
CORDENIO A. SEVERANCE, St. Paul, Minn.,
A. T. STOVALL, Okolona, Miss.,
SENECA N. TAYLOR, St. Louis, Mo.,
C. B. NOLAN, Helena, Mont.,
JOHN L. WEBSTER, Omaha, Neb.,
A. E. CHENEY, Reno, Nev.,
JOSEPH MADDEN, Keene, N. H.,
JOHN R. HARDIN, Newark, N. J.,
JAMES G. FITCH, Socoro, N. M.,
J. CRAWFORD BIGGS, Raleigh, N. C.,
ANDREW A. BRUCE, Bismarck, N. D.,
A. V. CANNON, Cleveland, Ohio,
D. A. McDOUGAL, Sapulpa, Okla.,
CHARLES H. CAREY, Portland, Ore.,
JESSE H. WISE, Pittsburgh, Pa.,
MANUEL RODRIGUEZ-SERRA, San Juan, P. R.,
THOMAS A. JENCKES, Providence, R. I.,
T. MOULTRIE MORDECAI, Charleston, S. C.,
U. S. G. CHERRY, Sioux Falls, S. D.,
HENRY H. INGERSOLL, Knoxville, Tenn.,
HIRAM GLASS, Austin, Tex.,
P. L. WILLIAMS, Salt Lake City, Utah,
GEORGE B. YOUNG, Newport, Vt.,
EUGENE C. MASSIE, Richmond, Va.,
CHARLES E. SHEPARD, Seattle, Wash.,
EDGAR B. STEWART, Morgantown, W. Va.,
EDWARD W. FROST, Milwaukee, Wis.,
CHARLES N. POTTER, Cheyenne, Wyo.

EXHIBIT A.**AN ACT****TO MAKE UNIFORM THE LAWS OF PARTNERSHIP.*****PART I.****PRELIMINARY PROVISIONS.**

SECTION 1. [Name of Act.] This act may be cited as Uniform Partnership Act.

SEC. 2. [Definition of Terms.] In this act, "Court" includes every court and judge having jurisdiction in the case.

"Business" includes every trade, occupation, or profession.

"Person" includes individuals, partnerships, corporations, and other associations.

"Bankrupt" includes bankrupt under the Federal Bankruptcy Act or insolvent under any state insolvent act.

"Conveyance" includes every assignment, lease, mortgage, or encumbrance.

"Real property" includes land and any interest or estate in land.

SEC. 3. [Interpretation of Knowledge and Notice.] (1) A person has "knowledge" of a fact within the meaning of this act not only when he has actual knowledge thereof, but also when he has knowledge of such other facts as in the circumstances shows bad faith.

(2) A person has "notice" of a fact within the meaning of this act when the person who claims the benefit of the notice

(a) States the fact to such person, or

(b) Delivers through the mail, or by other means of communication, a written statement of the fact to such person or to a proper person at his place of business or residence.

SEC. 4. [Rules of Construction.] (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this act.

* This Act in pamphlet form with explanatory notes may be obtained from Walter George Smith, Witherspoon Building, Philadelphia, Pa., Chairman of the Committee on Commercial Law of the Commissioners on Uniform State Laws, or from George B. Young, Newport, Vt., Secretary of the Commissioners on Uniform State Laws.

(2) The law of estoppel shall apply under this act.

(3) The law of agency shall apply under this act.

(4) This act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(5) This act shall not be construed so as to impair the obligations of any contract existing when the act goes into effect, nor to affect any action or proceedings begun or right accrued before this act takes effect.

SEC. 5. [Rules for Cases not Provided for in this Act.] In any case not provided for in this act the rules of law and equity, including the law merchant, shall govern.

PART II.

NATURE OF A PARTNERSHIP.

SEC. 6. [Partnership Defined.] (1) A partnership is an association of two or more persons to carry on as co-owners a business for profit.

(2) But any association formed under any other statute of this state, or any statute adopted by authority, other than the authority of this state, is not a partnership under this act, unless such association would have been a partnership in this state prior to the adoption of this act; but this act shall apply to limited partnerships except in so far as the statutes relating to such partnerships are inconsistent herewith.

SEC. 7. [Rules for Determining the Existence of a Partnership.] In determining whether a partnership exists, these rules shall apply:

(1) Except as provided by section 16 persons who are not partners as to each other are not partners as to third persons.

(2) Joint tenancy, tenancy in common, tenancy by the entirety, joint property, common property, or part ownership does not of itself establish a partnership, whether such co-owners do or do not share any profits made by the use of the property.

(3) The sharing of gross returns does not of itself establish a partnership, whether or not the persons sharing them have a joint or common right or interest in any property from which the returns are derived.

(4) The receipt by a person of a share of the profits of a business is *prima facie* evidence that he is a partner in the business, but no such inference shall be drawn if such profits were received in payment:

- (a) As a debt by installments or otherwise,
- (b) As wages of an employee or rent to a landlord,
- (c) As an annuity to a widow or representative of a deceased partner,
- (d) As interest on a loan, though the amount of payment vary with the profits of the business,
- (e) As the consideration for the sale of the good-will of a business or other property by installments or otherwise.

SEC. 8. [Partnership Property.] (1) All property originally brought into the partnership stock or subsequently acquired, by purchase or otherwise, on account of the partnership is partnership property.

(2) Unless the contrary intention appears, property acquired with partnership funds is partnership property.

(3) Any estate in real property may be acquired in the partnership name. Title so acquired can be conveyed only in the partnership name.

(4) A conveyance to a partnership in the partnership name, though without words of inheritance, passes the entire estate of the grantor unless a contrary intent appears.

PART III.

RELATIONS OF PARTNERS TO PERSONS DEALING WITH THE PARTNERSHIP.

SEC. 9. [Partner Agent of Partnership as to Partnership Business.] (1) Every partner is an agent of the partnership for the purpose of its business, and the act of every partner, including the execution in the partnership name of any instrument, for apparently carrying on in the usual way the business of the partnership of which he is a member binds the partnership, unless the partner so acting has in fact no authority to act for the partnership in the particular matter, and the person with whom he is dealing has knowledge of the fact that he has no such authority.

(2) An act of a partner which is not apparently for the carrying on of the business of the partnership in the usual way does not bind the partnership unless authorized by the other partners.

(3) Unless authorized by the other partners or unless they have abandoned the business, one or more but less than all the partners have no authority to:

(a) Assign the partnership property in trust for creditors or on the assignee's promise to pay the debts of the partnership,

(b) Dispose of the good-will of the business,

(c) Do any other act which would make it impossible to carry on the ordinary business of the partnership,

(d) Confess a judgment,

(e) Submit a partnership claim or liability to arbitration or reference.

(4) No act of a partner in contravention of a restriction on his authority shall bind the partnership to persons having knowledge of the restriction.

SEC. 10. [Conveyance of Real Property of the Partnership.]

(1) Where title to real property is in the partnership name, any partner may convey title to such property by a conveyance executed in the partnership name; but the partnership may recover such property unless the partner's act binds the partnership under the provisions of paragraph (1) of section 9, or unless such property has been conveyed by the grantee or a person claiming through such grantee to a holder for value without knowledge that the partner, in making the conveyance, has exceeded his authority.

(2) Where title to real property is in the name of the partnership, a conveyance executed by a partner, in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section 9.

(3) Where title to real property is in the name of one or more but not all the partners, and the record does not disclose the right of the partnership, the partners in whose name the title stands may convey title to such property, but the partnership may recover such property if the partners' act does not bind the partnership under the provisions of paragraph (1) of section 9,

unless the purchaser or his assignee, is a holder for value, without knowledge.

(4) Where the title to real property is in the name of one or more or all the partners, or in a third person in trust for the partnership, a conveyance executed by a partner in the partnership name, or in his own name, passes the equitable interest of the partnership, provided the act is one within the authority of the partner under the provisions of paragraph (1) of section 9.

(5) Where the title to real property is in the names of all the partners a conveyance executed by all the partners passes all their rights in such property.

SEC. 11. [Partnership Bound by Admission of Partner.] An admission or representation made by any partner concerning partnership affairs within the scope of his authority as conferred by this act is evidence against the partnership.

SEC. 12. [Partnership Charged with Knowledge of or Notice to Partner.] Notice to any partner of any matter relating to partnership affairs, and the knowledge of the partner acting in the particular matter, acquired while a partner or then present to his mind, and the knowledge of any other partner who reasonably could and should have communicated it to the acting partner, operate as notice to or knowledge of the partnership, except in the case of a fraud on the partnership committed by or with the consent of that partner.

SEC. 13. [Partnership Bound by Partner's Wrongful Act.] Where, by any wrongful act or omission of any partner acting in the ordinary course of the business of the partnership, or with the authority of his co-partners, loss or injury is caused to any person, not being a partner in the partnership, or any penalty is incurred, the partnership is liable therefor to the same extent as the partner so acting or omitting to act.

SEC. 14. [Partnership Bound by Partner's Breach of Trust.] The partnership is bound to make good the loss:

(a) Where one partner acting within the scope of his apparent authority receives money or property of a third person and misapplies it; and

(b) Where the partnership in the course of its business receives money or property of a third person and the money or property so received is misapplied by any partner while it is in the custody of the partnership.

SEC. 15. [Nature of Partner's Liability.] All partners are liable:

(a) Jointly and severally for everything chargeable to the partnership under sections 13 and 14.

(b) Jointly for all other debts and obligations of the partnership; but any partner may enter into a separate obligation to perform a partnership contract.

SEC. 16. [Partner by Estoppel.] (1) When a person, by words spoken or written or by conduct, represents himself, or consents to another representing him to any one, as a partner in an existing partnership or with one or more persons not actual partners, he is liable to any such person to whom such representation has been made, who has, on the faith of such representation, given credit to the actual or apparent partnership, and if he has made such representation or consented to its being made in a public manner he is liable to such person, whether the representation has or has not been made or communicated to such person so giving credit by or with the knowledge of the apparent partner making the representation or consenting to its being made.

(a) When a partnership liability results, he is liable as though he were an actual member of the partnership.

(b) When no partnership liability results, he is liable jointly with the other persons, if any, so consenting to the contract or representation as to incur liability, otherwise separately.

(2) When a person has been thus represented to be a partner in an existing partnership, or with one or more persons not actual partners, he is an agent of the persons consenting to such representation to bind them to the same extent and in the same manner as though he were a partner in fact, with respect to persons who rely upon the representation. Where all the members of the existing partnership consent to the representation, a partnership act or obligation results; but in all other cases it is the joint act or obligation of the person acting and the persons consenting to the representation.

SEC. 17. [Liability of Incoming Partner.] A person admitted as a partner into an existing partnership is liable for all the obligations of the partnership arising before his admission as though he had been a partner when such obligations were in-

curred, except that this liability shall be satisfied only out of partnership property.

PART IV.

RELATION OF PARTNERS TO ONE ANOTHER.

SEC. 18. [Rules Determining Rights and Duties of Partners.] The rights and duties of the partners in relation to the partnership shall be determined, subject to any agreement between them, by the following rules:

(a) Each partner shall be repaid his contributions, whether by way of capital or advances to the partnership property and share equally in the profits and surplus remaining after all liabilities, including those to partners, are satisfied; and must contribute towards the losses, whether of capital or otherwise, sustained by the partnership according to his share in the profits.

(b) The partnership must indemnify every partner in respect of payments made and personal liabilities reasonably incurred by him in the ordinary and proper conduct of its business, or for the preservation of its business or property.

(c) A partner, who in aid of the partnership makes any payment or advance beyond the amount of capital which he agreed to contribute, shall be paid interest from the date of the payment or advance.

(d) A partner shall receive interest on the capital contributed by him only from the date when repayment should be made.

(e) All partners have equal rights in the management and conduct of the partnership business.

(f) No partner is entitled to remuneration for acting in the partnership business, except that a surviving partner is entitled to reasonable compensation for his services in winding up the partnership affairs.

(g) No person can become a member of a partnership without the consent of all the partners.

(h) Any difference arising as to ordinary matters connected with the partnership business may be decided by a majority of the partners; but no act in contravention of any agreement between the partners may be done rightfully without the consent of all the partners.

SEC. 19. [Partnership Books.] The partnership books shall be kept, subject to any agreement between the partners, at the principal place of business of the partnership, and every partner shall at all times have access to and may inspect and copy any of them.

SEC. 20. [Duty of Partners to Render Information.] Partners shall render on demand true and full information of all things affecting the partnership to any partner or the legal representative of any deceased partner or partner under legal disability.

SEC. 21. [Partner Accountable as a Fiduciary.] (1) Every partner must account to the partnership for any benefit, and hold as trustee for it any profits derived by him without the consent of the other partners from any transaction connected with the formation, conduct, or liquidation of the partnership or from any use by him of its property.

(2) This section applies also to the representatives of a deceased partner engaged in the liquidation of the affairs of the partnership as the personal representatives of the last surviving partner.

SEC. 22. [Right to an Account.] Any partner shall have the right to a formal account as to partnership affairs:

(a) If he is wrongfully excluded from the partnership business or possession of its property by his co-partners,

(b) If the right exists under the terms of any agreement,

(c) As provided by section 21,

(d) Whenever other circumstances render it just and reasonable.

SEC. 23. [Continuation of Partnership Beyond Fixed Term.]

(1) When a partnership for a fixed term or particular undertaking is continued after the termination of such term or particular undertaking without any express agreement, the rights and duties of the partners remain the same as they were at such termination, so far as is consistent with a partnership at will.

(2) A continuation of the business by the partners or such of them as habitually acted therein during the term, without any settlement or liquidation of the partnership affairs, is *prima facie* evidence of a continuation of the partnership.

PART V.

PROPERTY RIGHTS OF A PARTNER.

SEC. 24. [Extent of Property Rights of a Partner.] The property rights of a partner are (1) his rights in specific partnership property, (2) his interest in the partnership, and (3) his right to participate in the management.

SEC. 25. [Nature of a Partner's Right in Specific Partnership Property.]

(1) A partner is co-owner with his partners of specific partnership property holding as a tenant in partnership.

(2) The incidents of this tenancy are such that:

(a) A partner, subject to the provisions of this act and to any agreement between the partners, has an equal right with his partners to possess specific partnership property for partnership purposes; but he has no right to possess such property for any other purpose without the consent of his partners.

(b) A partner's right in specific partnership property is not assignable except in connection with the assignment of the rights of all the partners in the same property.

(c) A partner's right in specific partnership property is not subject to attachment or execution, except on a claim against the partnership. When partnership property is attached for a partnership debt the partners, or any of them, or the representatives of a deceased partner, cannot claim any right under the homestead or exemption laws.

(d) On the death of a partner his right in specific partnership property vests in the surviving partner or partners, except where the deceased was the last surviving partner, when his right in such property vests in his legal representative. Such surviving partner or partners, or the legal representative of the last surviving partner, has no right to possess the partnership property for any but a partnership purpose.

(e) A partner's right in specific partnership property is not subject to dower, curtesy, or allowances to widows, heirs, or next of kin.

SEC. 26. [Nature of Partner's Interest in the Partnership.] A partner's interest in the partnership is his share of the profits and surplus, and the same is personal property.

SEC. 27. [Assignment of Partner's Interest.] (1) A conveyance by a partner of his interest in the partnership does not of itself dissolve the partnership, nor, as against the other partners in the absence of agreement, entitle the assignee, during the continuance of the partnership, to interfere in the management or administration of the partnership business or affairs, or to require any information or account of partnership transactions, or to inspect the partnership books; but it merely entitles the assignee to receive in accordance with his contract the profits to which the assigning partner would otherwise be entitled.

(2) In case of a dissolution of the partnership, the assignee is entitled to receive his assignor's interest and may require an account from the date only of the last account agreed to by all the partners.

SEC. 28. [Partner's Interest Subject to Charging Order.]

(1) On due application to a competent court of any judgment creditor of a partner, the court which entered the judgment, order, or decree, or any other court, may charge the interest of the debtor partner with payment of the unsatisfied amount of such judgment debt with interest thereon; and may then or later appoint a receiver of his share of the profits, and of any other money due or to fall due to him in respect of the partnership, and make all other orders, directions, accounts and inquiries which the debtor partner might have made, or which the circumstances of the case may require.

(2) The interest charged may be redeemed at any time before foreclosure, or in case of a sale being directed by the court may be purchased without thereby causing a dissolution:

(a) With separate property, by any one or more of the partners, or

(b) With partnership property, by any one or more of partners with the consent of all the partners whose interests are not so charged or sold.

(3) Nothing in this act shall be held to deprive a partner of his right, if any, under the exemption laws, as regards his interest in the partnership.

PART VI.

DISSOLUTION AND WINDING UP.

SEC. 29. [Dissolution Defined.] The dissolution of a partnership is the change in the relation of the partners caused by any partner ceasing to be associated in the carrying on as distinguished from the winding up of the business.

SEC. 30. [Partnership Not Terminated by Dissolution.] On dissolution the partnership is not terminated, but continues until the winding up of partnership affairs is completed.

SEC. 31. [Causes of Dissolution.] Dissolution is caused:

(1) Without violation of the agreement between the partners,

(a) By the termination of the definite term or particular undertaking specified in the agreement,

(b) By the express will of any partner when no definite term or particular undertaking is specified,

(c) By the express will of all the partners who have not assigned their interests or suffered them to be charged for their separate debts, either before or after the termination of any specified term or particular undertaking,

(d) By the expulsion of any partner from the business *bona fide* in accordance with such a power conferred by the agreement between the partners;

(2) In contravention of the agreement between the partners, where the circumstances do not permit a dissolution under any other provision of this section, by the express will of any partner at any time;

(3) By any event which makes it unlawful for the business of the partnership to be carried on or for the members to carry it on in partnership;

(4) By the death of any partner;

(5) By the bankruptcy of any partner or the partnership;

(6) By decree of court under section 32.

SEC. 32. [Dissolution by Decree of Court.] (1) On application by or for a partner the court shall decree a dissolution whenever:

(a) A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind,

(b) A partner becomes in any other way incapable of performing his part of the partnership contract,

(c) A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business,

(d) A partner wilfully or persistently commits a breach of the partnership agreement, or otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him,

(e) The business of the partnership can only be carried on at a loss,

(f) Other circumstances render a dissolution equitable.

(2) On the application of the purchaser of a partner's interest under sections 28 or 29:

(a) After the termination of the specified term or particular undertaking,

(b) At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

SEC. 33. [General Effect of Dissolution on Authority of Partner.] Except so far as may be necessary to wind up partnership affairs or to complete transactions begun but not then finished, dissolution terminates all authority of any partner to act for the partnership,

(1) With respect to the partners,

(a) When the dissolution is not by the act, bankruptcy or death of a partner; or

(b) When the dissolution is by such act, bankruptcy or death of a partner, in cases where section 34 so requires.

(2) With respect to persons not partners, as declared in section 35.

SEC. 34. [Right of Partner to Contribution From Co-partners After Dissolution.] Where the dissolution is caused by the act, death or bankruptcy of a partner, each partner is liable to his co-partners for his share of any liability created by any partner acting for the partnership as if the partnership had not been dissolved unless

(a) The dissolution being by act of any partner, the partner acting for the partnership had knowledge of the dissolution, or

(b) The dissolution being by the death or bankruptcy of a partner, the partner acting for the partnership had knowledge or notice of the death or bankruptcy.

SEC. 35. [Power of Partner to Bind Partnership to Third Persons After Dissolution.] (1) If the partnership is not dissolved because it has become unlawful to carry on the business, a partner cannot, after dissolution, bind the partnership to third persons by any act which is not necessary to wind up the partnership affairs or to complete transactions then unfinished unless,

(a) Such third person, having had relations with the partnership by which a credit was extended upon the faith of the partnership, has had no knowledge or notice of the dissolution; or

(b) Such third person, not having had business relations with the partnership by which a credit was extended to the partnership, has no knowledge or notice of the dissolution, and the fact of dissolution has not been advertised in a newspaper of general circulation of the place (or of each place if more than one) at which the partnership business was regularly carried on.

(2) The partnership is in no case bound by the acts of a partner who has become bankrupt; but this provision does not affect the liability of any person who, as declared by section 16, after bankruptcy, has represented himself, or consented to another's representing him to be a partner of the bankrupt.

SEC. 36. [Effect of Dissolution on Partner's Existing Liability.] (1) The dissolution of the partnership does not of itself discharge the existing liability of any partner.

(2) A partner is discharged from any existing liability upon dissolution of the partnership by an agreement to that effect between himself, the partnership creditor and the person or partnership continuing the business; and such agreement may be inferred from the course of dealing between the creditor having knowledge of the dissolution and the person or partnership continuing the business.

(3) Where a person agrees to assume the existing obligations of a dissolved partnership, the partners whose obligations have been assumed shall be discharged from any liability to any creditor of the partnership who, knowing of the agreement, consents to a material alteration in the nature or time of payment of such obligations.

(4) The individual property of a deceased partner shall be liable for all obligations of the partnership incurred while he was a partner but subject to the prior payment of his separate debts.

SEC. 37. [Right to Wind Up.] Unless otherwise agreed the partners who have not wrongfully dissolved the partnership or the legal representative of the last surviving partner, not bankrupt, has the right to wind up the partnership affairs; provided, however, that any partner, his legal representative, or his assignee, upon cause shown, may obtain winding up by the court.

SEC. 38. [Rights of Partners to Application of Partnership Property.] (1) When dissolution is caused in any way, except in contravention of the partnership agreement, each partner, as against his co-partners and all persons claiming through them in respect of their interests in the partnership, unless otherwise agreed, may have the partnership property applied to discharge its liabilities, and the surplus applied to pay in cash the net amount owing to the respective partners. But if dissolution is caused by expulsion of a partner, *bona fide* under the partnership agreement, and if the expelled partner is discharged from all partnership liabilities, either by payment or agreement under section 36 (2), he shall receive in cash only the net amount due him from the partnership.

(2) When dissolution is caused in contravention of the partnership agreement the rights of the partners shall be as follows:

(a) Each partner who has not caused dissolution wrongfully shall have,

I. All the rights specified in paragraph (1) of this section, and

II. The right, as against each partner who has caused the dissolution wrongfully, to damages for breach of the agreement.

(b) The partners who have not caused the dissolution wrongfully, if they all desire to continue the business in the same name, either by themselves or jointly with others, may do so, during the agreed term for the partnership and for that purpose may possess the partnership property, provided they secure the payment by bond approved by the court, or pay to any partner who has caused the dissolution wrongfully, the value of his in-

terest in the partnership at the dissolution, less any damages recoverable under clause (2a II) of this section, and in like manner indemnify him against all present or future partnership liabilities.

(c) A partner who has caused the dissolution wrongfully shall have:

I. If the business is not continued under the provisions of paragraph (2b) all the rights of a partner under paragraph (1), subject to clause (2a II), of this section,

II. If the business is continued under paragraph (2b) of this section the right as against his co-partners and all claiming through them in respect of their interests in the partnership, to have the value of his interest in the partnership, less any damages caused to his co-partners by the dissolution, ascertained and paid to him in cash, or the payment secured by bond approved by the court, and to be released from all existing liabilities of the partnership; but in ascertaining the value of the partner's interest the value of the good-will of the business shall not be considered.

SEC. 39. [Rights Where Partnership is Dissolved for Fraud or Misrepresentation.] Where a partnership contract is rescinded on the ground of the fraud or misrepresentation of one of the parties thereto, the party entitled to rescind is, without prejudice to any other right, entitled,

(a) To a lien on, or right of retention of, the surplus of the partnership property after satisfying the partnership liabilities to third persons for any sum of money paid by him for the purchase of an interest in the partnership and for any capital or advances contributed by him; and

(b) To stand, after all liabilities to third persons have been satisfied, in the place of the creditors of the partnership for any payments made by him in respect of the partnership liabilities; and

(c) To be indemnified by the person guilty of the fraud or making the representation against all debts and liabilities of the partnership.

SEC. 40. [Rules for Distribution.] In settling accounts between the partners after dissolution, the following rules shall be observed, subject to any agreement to the contrary:

(a) The assets of the partnership are;

I. The partnership property,

II. The contributions of the partners necessary for the payment of all the liabilities specified in clause (b) of this paragraph.

(b) The liabilities of the partnership shall rank in order of payment, as follows;

I. Those owing to creditors other than partners,

II. Those owing to partners other than for capital and profits,

III. Those owing to partners in respect of capital,

IV. Those owing to partners in respect of profits.

(c) The assets shall be applied in the order of their declaration in clause (a) of this paragraph to the satisfaction of the liabilities.

(d) The partners shall contribute, as provided by section 18 (a) the amount necessary to satisfy the liabilities; but if any, but not all, of the partners are insolvent, or, not being subject to process, refuse to contribute, the other partners shall contribute their share of the liabilities, and, in the relative proportions in which they share the profits, the additional amount necessary to pay the liabilities.

(e) An assignee for the benefit of creditors or any person appointed by the court shall have the right to enforce the contributions specified in clause (d) of this paragraph.

(f) Any partner or his legal representative shall have the right to enforce the contributions specified in clause (d) of this paragraph, to the extent of the amount which he has paid in excess of his share of the liability.

(g) The individual property of a deceased partner shall be liable for the contributions specified in clause (d) of this paragraph.

(h) When partnership property and the individual properties of the partners are in the possession of a court for distribution, partnership creditors shall have priority on partnership property and separate creditors on individual property, saving the rights of lien or secured creditors as heretofore.

(i) Where a partner has become bankrupt or his estate is insolvent the claims against his separate property shall rank in the following order:

I. Those owing to separate creditors,

II. Those owing to partnership creditors,

III. Those owing to partners by way of contribution.

SEC. 41. [Liability of Persons Continuing the Business in Certain Cases.] (1) When any new partner is admitted into an existing partnership, or when any partner retires and assigns (or the representative of the deceased partner assigns) his rights in partnership property to two or more of the partners, or to one or more of the partners and one or more third persons, if the business is continued without liquidation of the partnership affairs, creditors of the first or dissolved partnership are also creditors of the partnership so continuing the business.

(2) When all but one partner retire and assign (or the representative of a deceased partner assigns) their rights in partnership property to the remaining partner, who continues the business without liquidation of partnership affairs, either alone or with others, creditors of the dissolved partnership are also creditors of the person or partnership so continuing the business.

(3) When any partner retires or dies and the business of the dissolved partnership is continued as set forth in paragraphs (1) and (2) of this section, with the consent of the retired partners or the representative of the deceased partner, but without any assignment of his right in partnership property, rights of creditors of the dissolved partnership and of the creditors of the person or partnership continuing the business shall be as if such assignment had been made.

(4) When all the partners or their representatives assign their rights in partnership property to one or more third persons who promise to pay the debts and who continue the business of the dissolved partnership, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(5) When any partner wrongfully causes a dissolution and the remaining partners continue the business under the provisions of section 38 (2b), either alone or with others, and without liquidation of the partnership affairs, creditors of the dis-

solved partnership are also creditors of the person or partnership continuing the business.

(6) When a partner is expelled and the remaining partners continue the business either alone or with others, without liquidation of the partnership affairs, creditors of the dissolved partnership are also creditors of the person or partnership continuing the business.

(7) The liability of a third person becoming a partner in the partnership continuing the business, under this section to the creditors of the dissolved partnership shall be satisfied out of partnership property only.

(8) When the business of a partnership after dissolution is continued under any conditions set forth in this section the creditors of the dissolved partnership, as against the separate creditors of the retiring or deceased partner or the representative of the deceased partner, have a prior right to any claim of the retired partner or the representative of the deceased partner against the person or partnership continuing the business, on account of the retired or deceased partner's interest in the dissolved partnership or on account of any consideration promised for such interest or for his right in partnership property.

(9) Nothing in this section shall be held to modify any right of creditors to set aside any assignment on the ground of fraud.

(10) The use by the person or partnership continuing the business of the partnership name, or the name of a deceased partner as part thereof, shall not of itself make the individual property of the deceased partner liable for any debts contracted by such person or partnership.

SEC. 42. [Rights of Retiring or Estate of Deceased Partner When the Business is Continued.] When any partner retires or dies, and the business is continued under any of the conditions set forth in section 41 (1, 2, 3, 5, 6), or section 38 (2b), without any settlement of accounts as between him or his estate and the person or partnership continuing the business, unless otherwise agreed, he or his legal representative as against such persons or partnership may have the value of his interest at the date of dissolution ascertained, and shall receive as an ordinary creditor an amount equal to the value of his interest in the dissolved partnership with interest, or, at his option or at the option of his legal

representative, in lieu of interest, the profits attributable to the use of his right in the property of the dissolved partnership; provided that the creditors of the dissolved partnership as against the separate creditors, or the representative of the retired or deceased partner, shall have priority on any claim arising under this section, as provided by section 41 (8) of this act.

SEC. 43. [Accrual of Actions.] The right to an account of his interest shall accrue to any partner, or his legal representative, as against the winding up partners or the surviving partners or the person or partnership continuing the business, at the date of dissolution, in the absence of any agreement to the contrary.

PART VII.

MISCELLANEOUS PROVISIONS.

SEC. 44. [When Act Takes Effect.] This act shall take effect on the day of one thousand nine hundred and

SEC. 45. [Legislation Repealed.] All acts or parts of acts inconsistent with this act are hereby repealed.

EXHIBIT B.

COMPULSORY ACT.

[For elective provisions see Appendix.]

UNIFORM WORKMEN'S COMPENSATION ACT

APPROVED BY CONFERENCE OF COMMISSIONERS ON

UNIFORM STATE LAWS, OCTOBER, 1914.

An act to make uniform the law relating to compensation to employees for personal injuries sustained in the course of their employment.

NOTE.—In some states a more descriptive title will be required.

Be it enacted, etc., as follows:

I.

RIGHTS AND REMEDIES GRANTED AND AFFECTED.

EMPLOYMENTS COVERED.

SECTION 1. This act shall apply to all public and all industrial employment, as hereinafter defined. If a workman receives personal injury by accident arising out of and in the course of

such employment, his employer or the insurance carrier shall pay compensation in the amounts and to the person or persons hereinafter specified.

STATE AND MUNICIPAL BODIES.

SEC. 2. This act shall apply to employees (other than officials as hereinafter defined) of the state, and all counties, cities, towns, and other public corporations, within the state. Policemen and firemen and others entitled to pensions shall be deemed employees within the meaning of this act. If, however, any policeman or fireman or other person entitled to a pension claims compensation under this act there shall be deducted from such compensation any sum which such policeman or fireman or other person may be entitled to receive from any pension or other benefit fund to which the state or municipal body may contribute.

INJURIES NOT COVERED.

SEC. 3. No compensation shall be allowed for an injury caused (1) by the employee's wilful intention to injure himself or to injure another, or (2) by his intoxication. If the employer claims an exemption or forfeiture under this section the burden of proof shall be upon him.

RIGHT TO COMPENSATION EXCLUSIVE.

SEC. 4. The rights and remedies herein granted to an employee on account of a personal injury for which he is entitled to compensation under this act shall exclude all other rights and remedies of such employee, his personal representatives, dependents, or next of kin, at common law or otherwise, on account of such injury.

Employers, who hire workmen within this state to work outside of the state, may agree with such workmen that the remedies under this act shall be exclusive as regards injuries received outside this state by accident arising out of and in the course of such employment; and all contracts of hiring in this state shall be presumed to include such an agreement.

LIABILITY OF THIRD PERSONS.

SEC. 5. When any injury for which compensation is payable under this act shall have been sustained under circumstances creating in some other person than the employer a legal liability to pay damages in respect thereto, the injured employee may, at his option, either claim compensation under this act or obtain damages from or proceed at law against such other person to recover damages; and if compensation is claimed and awarded under this act any employer having paid the compensation or having become liable therefor shall be subrogated to the rights of the injured employee to recover against that person, provided, if the employer shall recover from such other person damages in excess of the compensation already paid or awarded to be paid under this act, then any such excess shall be paid to the injured employee less the employer's expenses and costs of action.

CONTRACTING OUT FORBIDDEN.

SEC. 6. No contract, rule, regulation, or device whatsoever shall operate to relieve the employer in whole or in part from any liability created by this act.

II.**COMPENSATION.****DEATH BENEFITS.**

SEC. 7. If death results from the injury within [] years, the employer or the insurance carrier shall pay to the persons entitled to compensation or, if there are none, then to the personal representative of the deceased employee, burial expenses not to exceed [] dollars; and shall also pay to or for the following persons for the following periods a weekly compensation equal to the following percentages of the deceased employee's average weekly wages as defined in section 15:

(a) To the dependent widow or widower, if there be no dependent children, [] per cent.

(b) To the dependent widow or widower, if there be one or two dependent children, [] per cent; or if there be three or more dependent children, [] per cent. Such compensation to the widow or widower shall be for the use and benefit of

such widow or widower and of the dependent children, and the Industrial Accident Board may from time to time apportion such compensation between them in such way as it deems best.

(c) If there be no dependent widow or widower, but a dependent child or children, then to such child or children [] per cent, with [] per cent additional for each child in excess of two, with a maximum of [] per cent, to be divided equally among such children if more than one.

(d) If there be neither dependent widow, widower, nor child, but there be a dependent father or mother, then to such parent, if wholly dependent [] per cent, or if partially dependent [] per cent, or if both parents be dependent then one-half of the foregoing compensation to each of them; or, if there be no such parents, but a dependent grandparent, then to every such grandparent the same compensation as to a parent.

(e) If there be neither dependent widow, widower, child, parent, or grandparent, but there be a dependent grandchild, brother, or sister, or two or more of them, then to such dependents [] per cent for one such dependent and [] per cent additional for each additional such dependent, with a maximum of [] per cent, to be divided equally between such dependents if more than one.

NOTE.—Brackets. In all cases where brackets appear it is intended that words and figures shall be inserted as may best suit local sentiment and conditions. Assistance in filling the gaps may be had by consulting the notes which follow many of the sections.

DEPENDENTS.

SEC. 8. The following persons, and they only, shall be deemed dependents and entitled to compensation under the provisions of this act:

A child if under [] year of age, or incapable of self-support and unmarried, whether ever actually dependent upon the deceased or not.

The widow only if living with the deceased, or actually dependent, wholly or partially, upon him.

The widower only if incapable of self-support and actually dependent, wholly or partially, upon the deceased at the time of her injury.

A parent or grandparent only if actually dependent, wholly or partially, upon the deceased.

A grandchild, brother, or sister only if under [] years of age, or incapable of self-support, and wholly dependent upon the deceased. The relation of dependency must exist at the time of the injury.

PERIODS OF COMPENSATION.

SEC. 9. The compensation herein provided for shall be payable during the following periods:

To a widow, until death or remarriage, but in no case to exceed [] weeks.

To a widower, during disability or until remarriage, but in no case to exceed [] weeks.

To or for a child, until [] years of age, but in the case of a child incapable of self-support and unmarried as long as so incapable, but in no case to exceed [] weeks beyond said age of [] years.

To a parent or grandparent, during the continuation of a condition of actual dependency, but in no case to exceed [] weeks.

To or for a grandchild, brother, or sister, during dependency as hereinbefore defined, but in no case to exceed [] weeks.

Upon the cessation of compensation under this section to or on account of any person, the compensation of the remaining persons entitled to compensation for the unexpired part of the period during which their compensation is payable shall be that which such persons would have received if they had been the only persons entitled to compensation at the time of the decedent's death.

CERTAIN WORDS DEFINED.

SEC. 10. As used in this section the term "child" includes step-children, adopted children, posthumous children, and acknowledged illegitimate children, but does not include married children unless dependent. The terms "brother" and "sister" include step-brothers and step-sisters, half-brothers and half-sisters, and brothers and sisters by adoption, but do not include

married brothers nor married sisters unless dependent. The term "grandchild" includes children of adopted children and children of step-children, but does not include step-children of children, step-children of step-children, step-children of adopted children, nor married grandchildren unless dependent. The term "parent" includes step-parents and parents by adoption. The term "grand-parent" includes parents of parents by adoption, but does not include parents of step-parents, step-parents of parents, nor step-parents of step-parents. The words "adopted" and "adoption" as used in this act shall include cases where persons are treated as adopted as well as those of legal adoption.

SUNDRY PROVISIONS AS TO DEATH BENEFITS.

SEC. 11. In computing death benefits the average weekly wages of the deceased employee shall be considered not to be more than [] dollars, nor less than [] dollars; but the total weekly compensation shall not exceed in any case the average weekly wages computed as provided in section 15. Payment of death benefits by an employer in good faith to a dependent subsequent in right to another or other dependents shall protect and discharge the employer unless and until such dependent or dependents prior in right shall have given him notice of his or their claim. In case the employer is in doubt as to the respective rights of rival claimants he may apply to the Industrial Accident Board to decide between them.

In case death occurs after a period of disability, either total or partial, the period of disability shall be deducted from the total periods of compensation respectively stated in section 9.

The compensation of a person who is insane shall be paid to his or her guardian.

MEDICAL ATTENDANCE.

SEC. 12. During the first [] days of disability the employer shall furnish reasonable surgical, medical, and hospital services and supplies not exceeding the amount of [] dollars. The pecuniary liability of the employer for the medical, surgical, and hospital service herein required shall be limited to such charges as prevail in the same community for similar treatment of injured persons of a like standard of living when such treatment is paid for by the injured person.

TOTAL DISABILITY.

SEC. 13. Where the injury causes total disability for work the employer during such disability, but not including the first [] days thereof, shall pay the injured employee a weekly compensation equal to [] per cent of his average weekly wages, but not more than [] dollars, nor less than [] dollars, a week. In no case shall the weekly payments continue after the disability ends, nor longer than [] weeks.

In case of an employee whose average weekly wages are less than [] dollars a week the weekly compensation shall be the full amount of such average weekly wages, but where the disability is permanent the weekly compensation in such case shall be [five] dollars. In case the total disability begins after a period of partial disability, the period of partial disability shall be deducted from such total period of [] weeks.

In the case of the following injuries the disability caused thereby shall be deemed total and permanent; to wit:

- (1) The total and permanent loss of sight in both eyes.
- (2) The loss of both feet at or above the ankle.
- (3) The loss of both hands at or above the wrist.
- (4) The loss of one hand and one foot.
- (5) An injury to the spine resulting in permanent and complete paralysis of both legs or both arms or of one leg or of one arm.
- (6) An injury to the skull resulting in incurable imbecility or insanity.

The above enumeration is not to be taken as exclusive.

PARTIAL DISABILITY.

SEC. 14. Where the injury causes partial disability for work, the employer, during such disability and for a period of [] years beginning on the [] day of disability, shall pay the injured workman a weekly compensation equal to [] per cent of the difference between his average weekly wages before the accident and the weekly wages he is most probably able to earn thereafter, but not more than [] dollars a week. In no case shall the weekly payments continue after the disability ends, and in case the partial disability begins after a period of

total disability the period of total disability shall be deducted from such total period of [] years.

In the case of the following injuries the compensation shall be [] per cent of the average weekly wages, but not more than [] dollars to be paid weekly for the periods stated against such injuries respectively; to wit:

(1) The loss by separation of one arm at or above the elbow joint, or the permanent and complete loss of the use of one arm, [] weeks.

(2) The permanent and complete loss of hearing in both ears, [] weeks.

(3) The loss by separation of one leg at or above the knee joint, or the permanent and complete loss of the use of one leg, [] weeks.

(4) The loss by separation of one hand at or above the wrist joint, or the permanent and complete loss of the use of one hand, [] weeks.

(5) The loss by separation of one foot at or above the ankle joint, or the permanent and complete loss of the use of one foot, [] weeks.

COMPUTATION OF WAGES.

SEC. 15. Average weekly wages shall be computed in such a manner as is best calculated to give the average weekly earnings of the workman during the twelve months preceding his injury; *provided that* where, by reason of the shortness of the time during which the workman has been in the employment, or the casual nature of the employment, or the terms of the employment, it is impracticable to compute the rate of remuneration, regard may be had to the average weekly earnings which, during the twelve months previous to the injury, were being earned by a person in the same grade employed at the same work by the employer of the injured workman, or if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district.

If a workman at the time of the injury is regularly employed in a higher grade of work than formerly during the year and with larger regular wages, only such larger wages shall be taken into consideration in computing his average weekly wages.

VOLUNTARY PAYMENTS.

SEC. 16. Any payments made by the employer or his insurer to the injured workman during the period of his disability, or to his dependents, which, by the terms of this act, were not due and payable when made, may, subject to the approval of the Board, be deducted from the amount to be paid as compensation; *provided that* in case of disability such deduction shall be made by shortening the period during which compensation must be paid, and not by reducing the amount of the weekly payments under sections 13 and 14.

PERIODICAL PAYMENTS.

SEC. 17. The Board, upon the application of either party, may in its discretion, having regard to the welfare of the employee and the convenience of the employer, authorize compensation to be paid monthly or quarterly instead of weekly.

COMMUTATION OF PAYMENTS.

SEC. 18. Whenever the board determines that it is for the best interest of all parties, the liability of the employer for compensation may, on application to the board by any party interested, be discharged in whole or in part by the payment of one or more lump sums to be fixed by the board.

TRUSTEE IN CASE OF LUMP SUM PAYMENTS.

SEC. 19. Whenever for any reason the board deems it expedient, any lump sum which is to be paid as provided in section 18 shall be paid by the employer to some suitable person or corporation appointed by the [] court as trustee to administer or apply the same for the benefit of the person or persons entitled thereto in the manner provided by the board. The receipt of such trustee for the amount so paid shall discharge the employer or any one else who is liable therefor.

III.

PROCEDURE IN OBTAINING COMPENSATION.

MEDICAL EXAMINATION.

SEC. 20. After an injury and during the period of disability, the workman, if so requested by his employer, or ordered by the board, shall submit himself to examination, at reasonable times

and places, to a duly qualified physician or surgeon designated and paid by the employer. The workman shall have the right to have a physician or surgeon designated and paid by himself present at such examination, which right, however, shall not be construed to deny to the employer's physician the right to visit the injured workman at all reasonable times and under all reasonable conditions during total disability. If a workman refuses to submit himself to or in any way obstructs such examination, his right to take or prosecute any proceeding under this act shall be suspended until such refusal or obstruction ceases, and no compensation shall be payable for the period during which such refusal or obstruction continues.

NOTICE OF INJURY AND CLAIM FOR COMPENSATION.

SEC. 21. No proceedings under this act for compensation for an injury shall be maintained unless a notice of the injury shall have been given to the employer as soon as practicable after the happening thereof, and unless a claim for compensation with respect to such injury shall have been made within [] after the date of the injury; or, in the case of death, then within [] after such death, whether or not a claim had been made by the employee himself for compensation. Such notice and such claim may be given or made by any person claiming to be entitled to compensation or by some one on his behalf. If payments of compensation have been made voluntarily the making of a claim within said period shall not be required.

FORM OF NOTICE AND CLAIM.

SEC. 22. Such notice and such claim shall be in writing, and such notice shall contain the name and address of the employee, and shall state in ordinary language the time, place, nature, and cause of the injury, and shall be signed by him or by a person on his behalf, or, in the event of his death, by any one or more of his dependents or by a person on their behalf. The notice may include the claim.

GIVING OF NOTICE AND MAKING OF CLAIM.

SEC. 23. Any notice under this act shall be given to the employer, or, if the employer be a partnership, then to any one of the partners. If the employer be a corporation, then the notice may be given to any agent of the corporation upon whom process

may be served, or to any officer of the corporation, or any agent in charge of the business at the place where the injury occurred. Such notice shall be given by delivering it or by sending it by mail by registered letter addressed to the employer at his or its last known residence or place of business. The foregoing provisions shall apply to the making of a claim.

SUFFICIENCY OF NOTICE.

SEC. 24. A notice given under the provisions of section 21 of this act shall not be held invalid or insufficient by reason of any inaccuracy in stating the time, place, nature, or cause of the injury, or otherwise, unless it is shown that the employer was in fact misled to his injury thereby. Want of notice or delay in giving notice shall not be a bar to proceedings under this act if it be shown that the employer, his agent or representative, had knowledge of the accident, or that the employer has not been prejudiced by such delay or want of notice.

LIMITATION OF TIME AS REGARDS MINORS AND INSANE.

SEC. 25. No limitation of time provided in this act shall run as against any person who is mentally incompetent or a minor dependent so long as he has no committee, guardian, or next friend.

IV.

INDUSTRIAL ACCIDENT BOARD.

NOTE.—Sections 26-41, inclusive, which relate to procedure, are intended to be suggestive only, and may be modified in those states which require a jury trial, and may be supplemented by further provisions needed to meet any local needs.

CREATION OF BOARD.

SEC. 26. A board is hereby created, to be known as the Industrial Accident Board, consisting of five members to be appointed by the Governor, by and with the consent of the [], one of whom shall be designated by the Governor as Chairman. Appointments to fill vacancies may be made during the recesses of the [], but shall be subject to confirmation by the [] at the next ensuing session of the [].

Each member of the board shall hold office for five years except that when the board is first constituted one member shall be appointed for one year, one for two years, one for three years, one for four years, and one for five years. Thereafter one member shall be appointed every year for the full term of five years.

SALARIES AND EXPENSES.

SEC. 27. The salaries and expenses of the board shall be paid by the state. The salary of the Chairman shall be [] dollars per year, and the salary of the other members shall be [] dollars per year each. The board may appoint a Secretary at a salary of not more than [] dollars per year, and may remove him. The board shall be provided with offices in the capitol, or in some other suitable building in the city of [], in which its records shall be kept, and it shall also be provided with necessary office furniture, stationery, and other supplies. The board shall have a seal for the authentication of its orders, awards, and proceedings, upon which shall be inscribed the words, "Industrial Accident Board— []—Seal." It shall employ such assistants and clerical help as it may deem necessary, and fix the compensation of all persons so employed: Provided that all such clerical assistants shall be subject to existing laws regulating the selection, grading, and compensation of department clerks. The members of the board and its assistants shall be entitled to receive from the state their actual and necessary expenses while traveling on the business of the board, but such expenses shall be sworn to by the person who incurred the same, and shall be approved by the Chairman of the board before payment is made. All such salaries and expenses shall be audited and paid out of the state treasury in the manner prescribed for similar expenditures in other departments or branches of the state service.

RULES OF BOARD, WITNESSES, BLANKS.

SEC. 28. The board may make rules not inconsistent with this act for carrying out the provisions of this act. Process and procedure under this act shall be as summary and simple as reasonably may be. The board, or any member thereof, shall have the power to subpoena witnesses, administer oaths, and to examine

such of the books and records of the parties to a proceeding as relate to the questions in dispute. The [] court shall have power to enforce by proper proceedings the attendance and testimony of witnesses, and the production and examination of books, papers, and records. The board shall cause to be printed and furnished free of charge to any employer or employee such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this act.

AGREEMENTS.

SEC. 29. If the employer and the injured employee reach an agreement in regard to compensation under this act, a memorandum of the agreement shall be filed with the board and, if approved by it, thereupon the memorandum shall for all purposes be enforceable under the provisions of section 38, unless modified as provided in section 36.

Such agreements shall be approved by the board only when the terms conform to the provisions of this act.

COMMITTEE OF ARBITRATION.

SEC. 30. If the compensation is not settled by agreement, either party may make an application to the board for the formation of a committee of arbitration. Such committee shall consist of three members, one of whom shall be a member of the Industrial Accident Board, or appointed by it, who shall act as Chairman. The other two members shall be named, respectively, by the parties. If a vacancy occurs it shall be filled in the same way as the original appointment.

FORMATION OF COMMITTEE.

SEC. 31. Immediately after such application the board shall designate one of its members, or a substitute, to act as Chairman of the committee of arbitration, and shall request the parties to appoint their respective representatives. If within seven days after such request, or after a vacancy has occurred, either party does not appoint his representative the board shall fill the vacancy and notify the parties to that effect.

NOTE.—“or a substitute.” These words are used so that hearings may not be delayed when the work of the Board is congested.

HEARINGS AND AWARDS.

SEC. 32. The committee on arbitration shall make such inquiries and investigations as it shall deem necessary. The hearings of the committee, unless otherwise agreed, shall be held in the city or town where the injury occurred if within this state, and the award of the committee, together with a statement of its findings of fact, rulings of law, and any other matters pertinent to the questions arising before it, shall be filed with the Industrial Accident Board. A copy of the award shall be immediately sent to the parties. Unless a claim for a review is filed by either party within [] days the award shall be enforceable under the provisions of section 38.

EXAMINATION BY PHYSICIAN.

SEC. 33. The Industrial Accident Board, or any member thereof, may appoint a duly qualified impartial physician to examine the injured employee and to report. The fee for this service shall be [] dollars and traveling expenses, but the board may allow additional reasonable amounts in extraordinary cases.

EXPENSES OF ARBITRATORS AND PHYSICIANS.

SEC. 34. The fees and expenses of arbitrators under section 32 and of physicians under section 33 shall be paid by the state, as the other expenses of the board are paid.

REVIEW OF AWARD.

SEC. 35. If an application for review is made to the board, or if the committee fails to make an award within thirty days after its formation, the board shall allow a full trial and shall make an award which shall be filed with the record of proceedings and shall state its conclusions of fact and rulings of law, and shall immediately send to the parties a copy of the award.

MODIFICATION OF AWARDS AND AGREEMENTS.

SEC. 36. On the application of any party on the ground of a change in conditions, the board may at any time, but not oftener than once in six months, review any agreement or award, and on such review may make an award ending, diminishing, or increas-

ing the compensation previously agreed upon or awarded subject to the maximum and minimum provided in this act, and shall state its conclusions of fact and rulings of law, and immediately send to the parties a copy of the award, but this section shall not apply to a commutation of payments under section 18.

APPEALS FROM BOARD.

SEC. 37. An award of the board, in the absence of fraud, shall be final and conclusive between the parties except as provided in section 36, unless within [] days after a copy has been sent to the parties either party appeals to the [] court. On such appeal the jurisdiction of said court shall be limited to a review of questions of law. The board may certify questions of law to the highest court for its determination.

ENFORCEMENT OF AWARD.

SEC. 38. Any party in interest may file in the [] court for the county in which the injury occurred, or for the county of [], a certified copy of a decision of the board awarding compensation, from which no appeal has been taken within the time allowed therefor or a certified copy of a decision of an arbitration committee awarding compensation from which no claim for review has been filed within the time allowed therefor, or a certified copy of a memorandum of agreement approved by the board, whereupon said court shall render a decree or judgment in accordance therewith and notify the parties thereof. Such decree or judgment shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though said decree or judgment had been rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom.

COSTS.

SEC. 39. If the committee of arbitration, Industrial Accident Board, or any court before whom any proceedings are brought under this act, determines that such proceedings have been brought, prosecuted, or defended without reasonable ground, it may assess the whole cost of the proceedings upon the party who has so brought, prosecuted, or defended them.

GENERAL POWERS OF BOARD.

SEC. 40. All questions arising under this act, if not settled by agreement of the parties interested therein with the approval of the board, shall, except as otherwise herein provided, be determined by the board. The decisions of the board shall be enforceable by the [] court under the provisions of section 38. There shall be a right of appeal from decisions of the board to the [] court as provided in section 37, but in no case shall such an appeal, either under this section or under section 37, operate as a supersedeas or stay unless the board or the [] court shall so order.

REVISION OF DECREES.

SEC. 41. The [] court, upon the filing with it of a certified copy of a decision of the Industrial Accident Board ending, diminishing, or increasing compensation previously awarded, shall revoke or modify its prior decree or judgment so that it will conform to said decision.

INJURIES OUTSIDE THE STATE.

SEC. 42. If a workman who has been hired in this state receives personal injury by accident arising out of and in the course of, such employment, he shall be entitled to compensation according to the law of this state even though such injury was received outside of this state.

If a workman who has been hired outside of this state is injured while engaged in his employer's business, and is entitled to compensation for such injury under the law of the state where he was hired, he shall be entitled to enforce against his employer his rights in this state if his rights are such that they can reasonably be determined and dealt with by the board and the court in this state.

V.

PREFERENCES AND ASSIGNMENTS.

PREFERENCES.

SEC. 43. All rights of compensation granted by this act shall have the same preference or priority for the whole thereof against the assets of the employer as is allowed by law for any unpaid wages for labor.

ASSIGNMENTS; ATTORNEYS' FEES.

SEC. 44. No claims for compensation under this act shall be assignable, and all compensation and claims therefor shall be exempt from all claims of creditors. Claims of attorneys and of physicians for services under this act shall be subject to the approval of the board.

VI.**SECURITY FOR COMPENSATION.****SECURITY FOR PAYMENT OF COMPENSATION.**

SEC. 45. Employers, but not including the state or the municipal bodies mentioned in section 2, shall secure compensation to their employees in one of the following ways:

(1) By insuring and keeping insured the payment of such compensation in the state insurance fund, or

(2) By insuring and keeping insured the payment of such compensation with any stock corporation or mutual association authorized to transact the business of workmen's compensation insurance in this state, or

(3) By obtaining and keeping in force guarantee insurance with any company authorized to do such guarantee business within the state, or

(4) By depositing and maintaining with the state insurance manager security satisfactory to said manager securing the payment by said employer of compensation according to the terms of this act.

NOTICE OF INSURANCE.

SEC. 46. If the insurance so effected is not with the state insurance fund the employer shall forthwith file with the state insurance manager in form prescribed by him a notice of his insurance, together with a copy of the contract or policy of insurance.

POSTING OF NOTICE REGARDING INSURANCE.

SEC. 47. Every employer who has complied with section 45 of this act shall post and maintain in a conspicuous place or places in and about his place or places of business typewritten or printed notices in form prescribed by the state insurance manager, stating the fact that he has complied with the law as to securing the payment of compensation to his employees and their dependents in accordance with the provisions of this act.

EFFECT OF FAILURE TO SECURE COMPENSATION.

SEC. 48. If an employer fails to comply with the provisions of section 45 he shall be liable to a penalty for every day during which such failure continues, of one dollar for every employee, to be recovered in an action brought by the state insurance manager in the name of the state or in his own name, and the amounts so collected shall be paid into the state insurance fund.

The state insurance manager may, however, in his discretion, for good cause shown, remit any such penalty in whole or in part, provided the employer in default secures compensation, as provided in section 45.

Furthermore, if any employer shall be in default under section 45, for a period of thirty days, he may be enjoined by the [

] court from carrying on his business while such default continues.

THE INSURANCE CONTRACT.

SEC. 49. Every policy of insurance and every guarantee contract covering the liability of the employer for compensation, whether issued by the state insurance manager, or by a stock company, or by a mutual association authorized to transact workmen's compensation or guarantee insurance in this state shall cover the entire liability of the employer to his employees covered by the policy or contract, and also shall contain a provision setting forth the right of the employees to enforce in their own names either by at any time filing a separate claim or by at any time making the insurance carrier a party to the original claim, the liability of the insurance carrier in whole or in part for the payment of such compensation; provided, however, that payment in whole or in part of such compensation by either the employer or the insurance carrier shall, to the extent thereof, be a bar to the recovery against the other of the amount so paid.

KNOWLEDGE OF EMPLOYER TO AFFECT INSURANCE CARRIER.

SEC. 50. Every such policy and contract shall contain a provision that, as between the employee and the insurance carrier, the notice to or knowledge of the occurrence of the injury on the part of the employer shall be deemed notice or knowledge, as the case may be, on the part of the insurance carrier; that jurisdic-

tion of the employer shall, for the purpose of this act, be jurisdiction of the insurance carrier, and that the insurance carrier shall in all things be bound by and subject to the orders, findings, decisions, or awards rendered against the employer for the payment of compensation under the provisions of this act.

INSOLVENCY OF EMPLOYER NOT TO RELEASE INSURANCE CARRIER.

SEC. 51. Every such policy and contract shall contain a provision to the effect that the insolvency or bankruptcy of the employer and his discharge therein shall not relieve the insurance carrier from the payment of compensation for injuries or death sustained by an employee during the life of such policy or contract.

CANCELATION OF INSURANCE CONTRACTS.

SEC. 52. No policy or contract of insurance or guaranty issued by a stock company or mutual association against liability arising under this act shall be canceled within the time limited in such contract for its expiration until at least ten days after notice of intention to cancel such contract, on a date specified in such notice, shall have been filed in the office of the state insurance manager and also served on the employer.

INSURANCE BY THE STATE, COUNTIES, AND MUNICIPALITIES.

SEC. 53. The state, and each county, city, town, or other public corporation, which is liable to its employees for compensation may insure either with the state insurance fund or with any other authorized insurance carrier.

EMPLOYEES NOT TO PAY FOR INSURANCE.

SEC. 54. No agreement by an employee to pay any portion of the premiums paid by his employer to the state insurance fund or to contribute to a benefit fund or department maintained by such employer, or to the cost of mutual or other insurance maintained for or carried for the purpose of securing compensation as herein required shall be valid; and any employer who makes a deduction for such purpose from the wages or salary of any employee entitled to the benefits of this act shall be guilty of a misdemeanor.

VII.

STATE INSURANCE FUND.

CREATION OF STATE FUND.

SEC. 55. There is hereby created a fund, to be known as "The State Insurance Fund," for the purpose of insuring employers against liability for compensation under this act and of assuring to the persons entitled thereto the compensation provided by this act. Such fund shall consist of all premiums and penalties received and paid into the fund, of property and securities acquired by and through the use of moneys belonging to the fund, and of interest earned upon moneys belonging to the fund and deposited or invested as herein provided.

Such fund shall be administered by the state insurance manager without liability on the part of the state beyond the amount of such fund. Such fund shall be applicable to the payment of losses sustained on account of insurance and to the payment of compensation and of expenses in the manner provided in this act.

STATE INSURANCE MANAGER.

SEC. 56. The Governor, with the approval of the [] shall appoint a manager of the state insurance fund, who shall hold office for the term of five years unless sooner removed by the Governor for cause stated. Any vacancy in said office may be filled at any time by appointment made by the Governor with the approval of the []. If such an appointment is made during a recess of the [] it shall be subject to confirmation by the [] at its next ensuing session.

POWERS AND DUTIES OF STATE INSURANCE MANAGER.

SEC. 57. It shall be the duty of such state insurance manager to conduct the business of the state insurance fund, and he is hereby vested with full authority over the said fund, and may do any and all things which are necessary or convenient in the administration thereof, or in connection with the insurance business to be carried on by him under the provisions of this act.

FURTHER STATEMENT OF POWERS.

SEC. 58. The state insurance manager shall have full power to determine the rates to be charged for insurance in said fund.

and to conduct all business in relation thereto, all of which business shall be conducted in his official name of state insurance manager.

POWER TO SUE AND BE SUED.

SEC. 59. The state insurance manager may in his official name sue and be sued in all the courts of the state, including the Industrial Accident Board, in all actions or proceedings arising out of anything done or suffered in connection with the state insurance fund or business relating thereto.

CONTRACTS.

SEC. 60. The state insurance manager may in his official name make contracts of insurance as herein provided and such other contracts relating to the state insurance fund as are authorized or permitted under the provisions of this act.

EMPLOYMENT OF ASSISTANTS.

SEC. 61. The state insurance manager may employ such assistants, experts, statisticians, actuaries, accountants, inspectors, clerks, and other employees as he may deem necessary to carry out the provisions of this act or to perform the duties imposed upon him by this act; provided that all such clerical assistants shall be subject to existing laws regulating the selection, grading, and compensation of department clerks.

PERSONAL LIABILITY.

SEC. 62. The state insurance manager shall not, nor shall any person employed by him, be personally liable in his private capacity for or on account of any act performed or contract entered into in an official capacity in good faith and without intent to defraud, in connection with the administration of the state insurance fund or affairs relating thereto.

SALARIES, EXPENSES, AND PAYMENT OF SAME.

SEC. 63. The salary of the state insurance manager shall be [] dollars per year. His salary, and the salaries or compensation of his several employees, and all expenses incurred by him shall be audited and paid in the first instance out of the

state treasury in the manner prescribed for similar expenditures in other departments or branches of the state service.

DELEGATION OF POWERS.

SEC. 64. The state insurance manager may act through proper deputies and may delegate to such deputies such powers as he deems necessary or convenient.

Among the powers which may be so delegated shall be the power to enter into contracts of insurance, insuring employers against liability for compensation as herein provided and insuring to employees the compensation fixed by this act; also the power to make agreements, subject to the approval of the Industrial Accident Board, for the settlement of claims against said fund for compensation for injuries in accordance with the provisions of this act; also the power to determine to whom and through whom payments of such compensation shall be made; and also the power to contract with physicians, surgeons, and hospitals for medical and surgical treatment and care and nursing of injured persons entitled to compensation from said fund.

BOND.

SEC. 65. Before entering on the duties of his office the state insurance manager shall give an official bond in the sum of [] dollars and shall take and subscribe an official oath. Said bond shall be approved and filed as in the case of other official bonds required of state officials.

STATE TREASURER CUSTODIAN OF FUND.

SEC. 66. The state treasurer shall be the custodian of the state insurance fund; and all disbursements therefrom shall be paid by him upon warrants or vouchers authorized and signed by the state insurance manager, and also signed by the state auditor. The state treasurer shall give a separate and additional bond in an amount to be fixed by the Governor, and with sureties approved by him, conditioned for the faithful performance of his duty as custodian of the state insurance fund. The state treasurer may deposit any portion of the said fund not needed for immediate use, in the manner and subject to all the provisions

of law respecting the deposit of other state funds by him. Interest earned by such portion of the state insurance fund deposited by the state treasurer shall be collected by him and placed to the credit of the fund.

SURPLUS AND RESERVE.

SEC. 67. Ten per centum of the premiums collected from employers insured in the fund shall be set aside by the state insurance manager for the creation of a surplus, until such surplus shall amount to the sum of one hundred thousand dollars, and thereafter five per centum of such premiums, until such time as in the judgment of the state insurance manager such surplus shall be sufficiently large to cover the catastrophe hazard and all other unanticipated losses. The state insurance manager shall also set up and maintain a reserve adequate to meet anticipated losses and carry all claims and policies to maturity. The amount of such surplus and reserve shall be subject to the approval of the state insurance commissioner.

INVESTMENT OF SURPLUS OR RESERVE.

SEC. 68. The state insurance manager may invest any of the surplus or reserve funds belonging to the state insurance fund in the same securities and investments authorized for investments by savings banks. All such securities or evidences of indebtedness shall be placed in the hands of the state treasurer, who shall be the custodian thereof. He shall collect the principal and interest thereof, when due, and pay the same into the state insurance fund. The state treasurer shall pay all warrants or vouchers drawn on the state insurance fund for the making of such investments when signed by the state insurance manager and by the state auditor. The state insurance manager, with the consent of the state auditor, may sell any of such securities, the proceeds thereof to be paid over to the state treasurer for said state insurance fund.

ADMINISTRATION EXPENSES.

SEC. 69. The entire expense of administering the state insurance fund shall be paid in the first instance by the state, out of moneys appropriated therefor. In the month of [] nineteen hundred and [], and annually thereafter in

such month, the state insurance manager shall ascertain the just amount of expense incurred by him during the preceding calendar year, in the administration of the state insurance fund, including expense incurred for the examination, determination, and payment of losses and claims, and shall refund such amount to the state treasury.

CLASSIFICATION OF RISKS AND ADJUSTMENT OF PREMIUMS.

SEC. 70. Employments insured in the state insurance fund shall be divided by the state insurance manager, for the purposes of the said fund, into classes. Separate accounts shall be kept of the amounts collected and expended in respect to each such class for convenience in determining equitable rates; but for the purpose of paying compensation the state insurance fund shall be deemed one and indivisible. The state insurance manager shall have power to rearrange any of the classes by withdrawing any employment embraced in it and transferring it wholly or in part to any other class, and from such employments to set up new classes in his discretion. The state insurance manager shall determine the hazards of the different classes and fix the rates of premiums therefor based upon the total payroll and number of employees in each of such classes of employment at the lowest possible rate consistent with the maintenance of a solvent state insurance fund and the creation of a reasonable surplus and reserve; and for such purpose may adopt a system of schedule rating in such a manner as to take account of the peculiar hazard of each individual risk.

ACCOUNTS.

SEC. 71. The state insurance manager shall keep an accurate account of the money paid in premiums by each of the several classes of employments, and the expense of administering the state insurance fund and the disbursements on account of injuries and deaths of employees in each of said classes, including the setting up of reserves adequate to meet anticipated and unexpected losses and to carry the claims to maturity; and also an account of the money received from each individual employer; and of the amount disbursed from the state insurance fund for expenses,

and on account of injuries and death of the employees of such employer, including the reserves so set up.

DIVIDENDS.

SEC. 72. At the end of every year, and at such other times as the state insurance manager in his discretion may determine, a readjustment of the rate shall be made for each of the several classes of employments or industries. If at any time there is an aggregate balance remaining to the credit of any class of employment or industry which the state insurance manager deems may safely and properly be divided, he may in his discretion credit to each individual member of such class who shall have been a subscriber to the state insurance fund for a period of six months or more prior to the time of such readjustment such proportion of such balance as he is properly entitled to, having regard to his prior paid premiums since the last readjustment of rates.

ASSESSMENTS.

SEC. 73. If the premiums fixed for any class and collected from its members are subsequently found by the state insurance manager to have been too small for any period, he may determine what additional premiums are required from said class for said period, and may make assessments accordingly, and each of the members of such class shall be liable to the said manager to pay such assessment so made upon him within thirty days after notice thereof.

READJUSTMENT OF PAYROLLS.

SEC. 74. If the amount of premium collected from any employer at the beginning of any period is ascertained by using the estimated expenditure of wages for the period of time covered by such premium payment as a basis, an adjustment of the amount of such premium shall be made at the end of such period and the actual amount of such premium shall be determined in accordance with the amount of the actual expenditure of wages for such period; and if such wage expenditure for such period is less than the amount on which such estimated premium was collected, such employer shall be entitled to receive a refund from the state insurance fund of the difference between the amount so paid

by him and the amount so found to be actually due, or to have the amount of such difference credited on succeeding premium payments at his option; and if such actual premium, when so ascertained, exceeds in amount a premium so paid by such employer at the beginning of such period, such employer shall immediately, upon being advised of the true amount of such premium due, forthwith pay to the state insurance manager an amount equal to the difference between the amount actually found to be due and the amount paid by him at the beginning of such period.

POLICIES AND PAYMENT OF PREMIUMS.

SEC. 75. (1) Every employer insuring in the state insurance fund shall receive from the state insurance manager a contract or policy of insurance in a form to be approved by the state insurance commissioner.

(2) Except as otherwise provided in this act all premiums shall be paid by every employer who elects to insure with the state insurance fund to the state insurance manager on or before [July] first, nineteen hundred and [] and semi-annually thereafter or at such other times as may be prescribed by the state insurance manager. Receipts shall be given for such payments and the money shall be paid over to the state treasurer to the credit of the state insurance fund.

ACTIONS FOR COLLECTION IN CASE OF DEFAULT; PENALTY.

SEC. 76. If an employer shall default in any payment required to be made by him to the state insurance fund, the amount due from him shall be collected by civil action against him in the name of the state or of the state insurance manager, and it shall be the duty of the state insurance manager forthwith to bring or cause to be brought against each such employer a civil action in the proper court for the collection of such amount so due; and the same, when collected by the state insurance manager, shall be paid into the state insurance fund, and such employer's compliance with the provisions of this act requiring payments to be made to the state insurance fund shall date from the time of the payment of said money so collected to the state insurance manager.

Any employer who is in default for ten days in payment of any premium shall also be liable to a penalty as provided in section 48.

WITHDRAWAL FROM FUND.

SEC. 77. Any employer may, upon complying with subdivisions two, three, or four of section 45 of this act, withdraw from the fund by turning in his insurance contract or policy for cancellation, provided he is not in arrears for premiums due to the fund and has given to the state insurance manager written notice of his intention to withdraw thirty days before the expiration of the period for which he has elected to insure in said fund; and also provided that in case any employer so withdraws, his liability to assessments shall continue after the date of such withdrawal as against all liabilities for such compensation accruing prior to such withdrawal.

Any employer so withdrawing may, however, terminate his entire liability by paying to the state insurance manager such sum as said manager may deem sufficient to cover such liabilities.

REINSURANCE.

SEC. 78. The state insurance manager may reinsure any risk, or any part thereof, and may enter into agreements of reinsurance in the same way and to the same extent as other insurance carriers.

AUDIT OF PAYROLLS.

SEC. 79. Every employer who is insured in the state insurance fund shall keep a true and accurate record of the number of his employees and the wages paid by him, and shall furnish to the state insurance manager, upon demand, a sworn statement of the same. Such record shall be open to inspection at any time and as often as the state insurance manager shall require to verify the number of the employees and the amount of the payroll.

FALSIFICATION OF PAYROLL.

SEC. 80. An employer who shall wilfully misrepresent the amount of the payroll upon which the premiums chargeable by the state insurance fund are to be based shall be liable to the state in ten times the amount of the difference between the premiums

paid and the amount the employer should have paid had his payroll been correctly computed; and the liability to the state under this section shall be enforced in a civil action by the state insurance manager in the name of the state, or in his own name, and any amount so collected shall become a part of the state insurance fund.

WILFUL MISREPRESENTATION.

SEC. 81. Any person who wilfully misrepresents any fact in order to obtain insurance in the state insurance fund at less than the proper rate for such insurance, or in order to obtain payment out of such fund, shall be guilty of a misdemeanor.

INSPECTIONS.

SEC. 82. The state insurance manager shall have the right to inspect the plants and establishments of employers insured in the state insurance fund; and the inspectors designated by the state insurance manager shall have free access to such premises during regular working hours, and at other reasonable times.

DISCLOSURES PROHIBITED.

SEC. 83. Information acquired by the state insurance manager or his officers or employees from employers or employees pursuant to this act shall not be open to public inspection, and any officer or employee of the state insurance manager who, without authority of the state insurance manager or pursuant to his rules, or as otherwise required by law, shall disclose the same shall be guilty of a misdemeanor.

APPROVAL OF PREMIUM RATES.

SEC. 84. All premium rates fixed by the state insurance manager for the state insurance fund shall be subject to the approval of the insurance commissioner in the same way and to the same extent as may be provided by law in the case of private insurance carriers.

PAYMENT OF COMPENSATION.

SEC. 85. The state insurance manager shall submit each month to the state auditor an estimate of the amount necessary to meet the current disbursements for insurance losses and workmen's

compensation from the state insurance fund, during each succeeding calendar month, and when such estimate shall be approved by the state auditor, the state treasurer is authorized to pay the same out of the state insurance fund. At the end of each calendar month the state insurance manager shall account to the state auditor for all moneys so received, furnishing proper vouchers therefor.

REPORTS OF STATE INSURANCE MANAGER.

SEC. 86. The state insurance manager shall file with the state insurance commissioner such reports as may be required of other insurance carriers; and shall also, whenever so requested by the state insurance commissioner, furnish him with such further information as he may need for the performance of the duties imposed upon him by this act.

VIII.

REPORTS, DEFINITIONS, AND GENERAL PROVISIONS.

REPORT OF ACCIDENTS BY EMPLOYERS.

SEC. 87. Every employer shall hereafter keep a record of all injuries, fatal or otherwise, received by his employees in the course of their employment. Within forty-eight hours, not counting Sundays and legal holidays, after the occurrence of an injury causing absence from work for one day or more, a report thereof shall be made in writing to the Industrial Accident Board on blanks to be procured from the board for the purpose.

Upon the termination of the disability of the injured employee, the employer shall make a supplemental report upon blanks to be procured from the board for that purpose. If the disability extends beyond a period of sixty days, the employer shall report to the board at the end of such period that the injured employee is still disabled, and upon the termination of the disability shall file a final supplemental report as provided above.

The said reports shall contain the name and nature of the business of the employer, the situation of the establishment, the name, age, sex, wages, and occupation of the injured employee, and shall state the date and hour of the accident causing the injury, the nature and cause of the injury, and such other information as may be required by the board.

Any employer who refuses or neglects to make the report required by this section shall be punished by a fine of not more than [] dollars for each offense.

Within sixty days after the termination of the disability of the injured employee, the employer or other party liable to pay the compensation provided for by this act shall file with the board a statement showing the total payments made or to be made for compensation and for medical services for such injured employee.

INTERSTATE COMMERCE.

SEC. 88. This act shall affect the liability of employers to employees engaged in interstate or foreign commerce or otherwise only so far as the same is permissible under the laws of the United States.

REPORTS OF INDUSTRIAL ACCIDENT BOARD.

SEC. 89. Annually on or before the first day of February, the board shall make a report to the legislature which shall include a properly classified statement of the expenses of the board, together with any other matters which the board deems proper to report to the legislature, including any recommendations it may desire to make. The board shall, at the same time, send a copy of said report to the state insurance commissioner, and also to the state insurance manager.

DEFINITIONS.

SEC. 90. In this act, unless the context otherwise requires:

(a) "Employer" unless otherwise stated, includes any body of persons, corporate or unincorporated, public or private, and the legal representative of a deceased employer. It includes the owner or lessee of premises, or other person who is virtually the proprietor or operator of the business there carried on, but who, by reason of there being an independent contractor, or for any other reason, is not the direct employer of the workmen there employed. If the employer is insured it includes his insurer so far as applicable.

(b) "Workman" is used as synonymous with "employee," and means any person who has entered into the employment of,

or works under contract of service or apprenticeship with, an employer. It does not include a person whose employment is purely casual or not for the purpose of the employer's trade or business, or whose remuneration exceeds [] dollars a year. Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his dependents as herein defined, if the context so requires, or, where the employee is a minor or incompetent, to his committee or guardian or next friend.

(c) "Injury" or "personal injury" includes death resulting from injury within [] years.

(d) The words "personal injury by accident arising out of and in the course of such employment" shall include an injury caused by the wilful act of a third person directed against an employee because of his employment.

They shall not include a disease except as it shall result from the injury.

(e) "Employment," in the case of private employers, includes employment only in a trade or occupation which is carried on by the employer for the sake of pecuniary gain.

Public employment means employment by the state or by a county, city, or town, or by any of the other public corporations mentioned in section 2.

It does not include the employment of public officials who are elected by popular vote or who receive salaries exceeding [] dollars a year.

(f) The word "board," whenever used in this act, unless the context shows otherwise, shall be taken to mean the Industrial Accident Board.

(g) "Partial disability." Diminished ability to obtain employment owing to disfigurement resulting from an injury may be held to constitute partial disability.

(h) "Wages" shall include the market value of board, lodging, fuel, and other advantages which can be estimated in money which the employee receives from the employer as a part of his remuneration.

"Wages" shall not include any sums which the employer has paid to the employee to cover any special expenses entailed on him by the nature of his employment.

(i) "Insurance Carrier" shall include the state insurance manager representing the state insurance fund and also stock corporations or mutual associations from any of which employers have obtained workmen's compensation insurance or guaranty insurance in accordance with the provisions of this act.

(j) Any term shall include the singular and plural and both sexes where the context so requires.

UNCONSTITUTIONAL PROVISIONS.

SEC. 91. If any part or section of this act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the act as a whole, or any part thereof which can be given effect without the part so decided to be unconstitutional or invalid.

PENALTIES FOR FALSE REPRESENTATIONS.

SEC. 92. If for the purpose of obtaining any benefit or payment under the provisions of this act, either for himself or for any other person, any one wilfully makes a false statement or representation, he shall be guilty of a misdemeanor and liable to a fine of not exceeding [] dollars, and he shall forfeit all right to compensation under this act after conviction for such offense.

PRIOR INJURIES.

SEC. 93. The provisions of this act shall not apply to injuries sustained, or accidents which occur, prior to the taking effect hereof.

RULES OF CONSTRUCTION.

SEC. 94. (a) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this act.

(b) This act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

PRIOR STATUTES; REPEAL.

SEC. 95. All acts and parts of acts inconsistent with this act are hereby repealed.

TITLE OF ACT.

SEC. 96. This act may be cited as the Uniform Workmen's Compensation Act.

TIME OF TAKING EFFECT.

SEC. 97. Part VII of this act shall take effect on the first day of July, nineteen hundred and []; the remainder thereof shall take effect on the first day of January, nineteen hundred and [].

APPENDIX.

ELECTIVE ACT.

NOTE.—If an elective act is required the following clauses may be used in addition to those contained in the foregoing compulsory act:

ELECTION TO COME UNDER THIS ACT.

ELECTION BY EMPLOYER AND EMPLOYEE.

SEC. 1. This act, except sections [], relating to defenses, and section [], relating to reports, shall not apply to any employer or employee unless prior to the injury they shall have so elected by agreement, either express or implied, as hereinafter provided. Such agreement shall be a surrender by the parties thereto of their rights to any other method, form, or amount of compensation or determination thereof than as provided in this act, and shall bind the employee himself, his widow and next of kin and dependents as hereinafter defined, as well as the employer and those conducting his business during bankruptcy or insolvency.

Every contract of hiring—verbal, written, or implied—now in operation or made or implied prior to the time limited for this act to take effect shall after this act takes effect be presumed to continue subject to the provisions of this act unless either party shall at any time prior to accident, in writing, notify the other party to such contract and the board that the provisions of this act, other than sections [], are not intended to apply.

Every contract of hiring—verbal, written, or implied—made subsequent to the time provided for this act to take effect shall be presumed to have been made subject to the provisions of this act, unless there be, as a part of said contract, an express state-

ment in writing prior to accident, either in the contract itself or by written notice by either party to the other and the board, that the provisions of this act other than sections [] are not intended to apply, and it shall be presumed that the parties have elected to be subject to the provisions of this act and to be bound thereby. In the employment of minors this act shall be presumed to apply unless the notice be given by or to the parent or guardian of the minor.

The agreement for the operation of the provisions of this act other than sections [] may be terminated by either party upon sixty days' notice to the other and to the board in writing prior to any accident.

DEFENSES IN CASE EMPLOYEE DOES NOT ELECT TO COME UNDER THIS ACT.

SEC. 2. If an employee has elected as aforesaid to come under this act and his employer has elected as aforesaid not to come under this act, then if an action is brought by the employee or his next of kin or personal representative to recover for personal injuries sustained after such election by the employer arising out of and in the course of his employment, it shall not be a defense—

- (a) that the employee was negligent;
- (b) that the injury was caused by the negligence of a fellow-employee;
- (c) that the employee had assumed the risk of the injury.

DEFENSES IN CASE EMPLOYEE DOES NOT ELECT TO COME UNDER THIS ACT.

SEC. 3. If an employer has elected as aforesaid to come under this act and his employee has elected as aforesaid not to come under this act, then if an action is brought by the employee to recover damages for personal injuries sustained after the employee has so elected, and arising out of and in the course of his employment, the employer shall have all the defenses which he would have had if this act had not been enacted.

EXHIBIT C.

AN ACT

TO REGULATE COLD STORAGE OF CERTAIN ARTICLES OF FOOD.¹

Be it enacted, etc.

SECTION 1. For the purpose of this act, "cold storage" shall mean the storage or keeping of articles of food at or below a temperature above zero of 45 degrees Fahrenheit in a cold storage warehouse; "cold storage warehouse" shall mean any place artificially cooled to or below a temperature above zero of 45 degrees Fahrenheit, in which articles of food are placed and held for thirty days or more; "article of food" shall mean fresh meat and fresh meat products and all fish, game, poultry, eggs and butter.

SEC. 2. No person, firm or corporation shall maintain or operate a cold storage warehouse without a license so to do issued by the State Food Commissioner.² Any person, firm or corporation desiring such a license shall make written application to the State Food Commissioner for that purpose, stating the location of the warehouse. The State Food Commissioner thereupon shall cause an examination to be made of said warehouse and, if it be found by him to be in a proper sanitary condition and otherwise properly equipped for its intended use, he shall issue a license authorizing the applicant to operate the same as a cold storage warehouse during one year. The license shall be issued upon payment by the applicant of a license fee of..... to the Treasurer of the state.

SEC. 3. In case any cold storage warehouse, or any part thereof, shall at any time be deemed by the State Food Commissioner to be in an unsanitary condition, or not properly equipped for its intended use, he shall notify the licensee of such condition and upon the failure of the licensee to put such cold storage warehouse in a sanitary condition or to properly equip the same for its intended use, within a time to be designated by the State Food Commissioner, he shall revoke such license.

¹ The title should be made to conform to the constitutional provisions of the state.

² Wherever in this act the words "State Food Commissioner" are used the name of any other officer or board may be substituted.

SEC. 4. Every such licensee shall keep accurate records of the articles of food received in and of the articles of food withdrawn from his cold storage warehouse, and the State Food Commissioner shall have free access to such records at any time. Every such licensee shall submit a monthly report to the State Food Commissioner, setting forth in itemized particulars the quantities and kinds of articles of food in his cold storage warehouse. Such monthly reports shall be filed on or before the fifth day of each month, and the reports so rendered shall show the conditions existing on the last day of the preceding month reported and a summary of such reports shall be prepared by the State Food Commissioner and shall be open to public inspection on or before the tenth day of each month.

SEC. 5. The State Food Commissioner shall inspect and supervise all cold storage warehouses and make such inspection of articles of food therein as he may deem necessary to secure the proper enforcement of this act, and he shall have access to all cold storage warehouses at all reasonable times. The State Food Commissioner may appoint such persons as he deems qualified to make any inspection under this act.

SEC. 6. No article of food intended for human consumption shall be placed, received or kept in any cold storage warehouse, if diseased, tainted, otherwise unfit for human consumption, or in such condition that it will not keep wholesome for human consumption. No article of food, for use other than for human consumption, shall be placed, received or kept in any cold storage warehouse unless previously marked, in accordance with forms to be prescribed by the State Food Commissioner, in such a way as to indicate plainly the fact that such article of food is not to be sold or used for human food.

SEC. 7. No person, firm or corporation shall place, receive or keep in any cold storage warehouse in this state articles of food unless the same shall be plainly marked, stamped or tagged, either upon the container in which they are packed, or upon the article of food itself, with the date when placed therein; and no person, firm or corporation shall remove, or allow to be removed, such article of food from any cold storage warehouse unless the same shall be plainly marked, stamped or tagged, either on the container in which it is enclosed or upon the article of food itself,

with the date of such removal, and such marks, stamps and tags shall be *prima facie* evidence of such receipt and removal and of the dates thereof. All articles of food in any cold storage warehouse at the time this act goes into effect shall, before being removed therefrom, be plainly marked, stamped or tagged with the date when this act goes into effect and the date of removal therefrom.

SEC. 8. No person, firm or corporation shall hereafter keep or permit to remain in any cold storage warehouse any article of food which has been held in cold storage either within or without the state, for a longer aggregate period than twelve months, except with the consent of the State Food Commissioner as hereinafter provided. The State Food Commissioner shall, upon application during the twelfth month, extend the period of storage beyond twelve months for any particular article of food, provided the same is found upon examination to be in proper condition for further cold storage. The length of time for which such further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the State Food Commissioner, the kinds and amounts of the articles of food for which the storage period was extended, and the length of time for which this continuance was granted, shall be filed, open to public inspection, in the office of the State Food Commissioner, and shall be included in his annual report. Such extension shall be not more than sixty days; a second extension of not more than sixty days may be granted upon a re-examination, but the entire extended period shall be not more than one hundred and twenty days in all.

SEC. 9. It shall be unlawful to sell, or to offer for sale, any article of food which has been held for a period of thirty days or over in cold storage either within or without the state, without notifying persons purchasing, or intending to purchase, the same, that it has been so held, by the display of a placard plainly and conspicuously marked, "Cold Storage Goods" on the bulk mass or articles of food; and it shall be unlawful to represent or advertise as fresh any article of food which has been held in cold storage for a period of thirty days or over.

SEC. 10. It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale. It shall be unlawful to transfer any article of food from one cold storage warehouse to another if such transfer is made for the purpose of avoiding any provision of this act, and such transfer shall be unlawful unless all prior stampings, markings and taggings upon such article shall remain thereon.

SEC. 11. The State Food Commissioner may make all necessary rules and regulations to carry this act into effect. Such rules and regulations shall be filed in the Commissioner's office, and shall not take effect until (.... days) after such filing.

SEC. 12. Any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor and shall upon conviction be punished for the first offense by a fine not exceeding (\$....) and for the second or any subsequent offense by a fine not exceeding (\$....) or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

SEC. 13. This act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

SEC. 14. This act may be cited as the Uniform Cold Storage Act.

SEC. 15. All acts or parts of acts inconsistent with this act are hereby repealed.

EXHIBIT D.

AN ACT

TO MAKE UNIFORM THE LAW OF ACKNOWLEDGMENTS TO DEEDS
OR OTHER INSTRUMENTS TAKEN OUTSIDE
THE UNITED STATES.

Be it enacted, etc.

SECTION 1. All deeds or other instruments requiring acknowledgment, if acknowledged without the United States, shall be acknowledged before an ambassador, minister, envoy or chargé

d'affaires of the United States, in the country to which he is accredited, or before one of the following officers commissioned or accredited to act at the place where the acknowledgment is taken, and having an official seal, viz.: any consular officer of the United States; a notary public; or a commissioner or other agent of this state having power to take acknowledgments to deeds.

SEC. 2. Every certificate of acknowledgment, made without the United States, shall contain the name or names of the person or persons making the acknowledgment, the date when and place where made, a statement of the fact that the person or persons making the acknowledgment knew the contents of the instrument, and acknowledged the same to be his, her or their act; the certificate shall also contain the name of the person before whom made, his official title, and be sealed with his official seal and may be substantially in the following form:

..... (name of country).
 (name of city, province or other
 political subdivision).

Before the undersigned.....
 (naming the officer and designating his official title) duly commissioned (or appointed) and qualified, this day personally appeared at the place above named.....
 (naming the person or persons acknowledging) who declared that he (she or they) knew the contents of the foregoing instrument, and acknowledged the same to be his (her or their) act. Witness my hand and official seal this.....day of
, 19....

..... (name of officer).
 [SEAL] (official title).

When the seal affixed shall contain the name or the official style of the officer, any error in stating, or failure to state otherwise the name or the official style of the officer, shall not render the certificate defective.

SEC. 3. A certificate of acknowledgment of a deed or other instrument acknowledged without the United States before any officer mentioned in Section 1 shall also be valid if in the same form as now is or hereafter may be required by law, for an acknowledgment within this state.

REPORT

OF THE

COMMITTEE ON PUBLICATIONS.

To the American Bar Association:

The Committee on Publications submits the following report:

Pursuant to vote of the Executive Committee the publication of the AMERICAN BAR ASSOCIATION JOURNAL was commenced in 1915, and placed under the general supervision of your committee, and the editorial charge of its chairman. Three numbers have appeared (for January, April, and July) and we leave them to speak for themselves. It will be perceived that this new quarterly covers the ground previously occupied by the annual bulletin of the Bureau of Comparative Law, and the issue of such bulletin has been accordingly discontinued.

The committee would welcome suggestions at any time for the improvement of the JOURNAL, from any member of the Association.

All of which is respectfully submitted.

SIMEON E. BALDWIN, *Chairman.*

REPORT

OF THE

COMMITTEE ON PROFESSIONAL ETHICS.

To the American Bar Association:

Your Committee on Professional Ethics respectfully submits the following report:

During the past year this committee has received no further replies to its circular letter, referred to in its last report, to all state and local Bar associations of which it had knowledge, asking for information as to the ethical activities of those associations; and no matters have been brought before the committee which in its opinion call for recommendations to the Association at this time.

No further state associations, so far as the committee has been informed, have adopted Codes of Ethics during the past year; but in several states the subject is under consideration and action may be expected in the near future.

The situation as to the discipline of the offending members of the Bar remains in much the same condition as was described in the committee's last report—a state of vigorous, healthy and high-minded activity on the part of some Bar associations, especially in certain large cities, where the need of such activity is most crying, and of serious neglect in many others. Making all allowances for the different treatment which the subject calls for in Bars of different sizes and degrees of homogeneity, this committee still believes that in many parts of the country much more attentive and systematic action by Bar associations is called for. Past experience gives ample assurance of the success of such efforts when properly exerted.

This committee wishes to renew at this time the assurance to all state and local Bar associations of its desire to assist them in such work in all ways in its power. As stated in its last report, "It seems reasonable also to hope that the standing committee of this Association may help in this work by facilitating the inter-

change of information among other associations and thus acting in a way as a clearing house."

The unlawful practice of the law by unauthorized persons has been the subject of efficient action by certain associations which have realized that statutes forbidding such practice cannot in their nature accomplish much unless the hands of prosecuting officers are upheld by the Bar. Prominent in this field has been the continued activity of the New York County Lawyers' Association, fruits of which may be seen in the recent opinion of the Supreme Court, Appellate Term, in *L. Meisel & Co. vs. National Jewelers Board of Trade*, 152 N. Y. Supp. 913.

Recent statutes of Missouri (Missouri Sessions Acts of 1915, pp. 99, 265) forbid any association, corporation or unlicensed person, to "engage in the practice of law or do law business," and define "law business" as

"the advising or counseling for a valuable consideration of any person, firm, association or corporation as to any secular law or the drawing or the procuring of or assisting in the drawing for a valuable consideration of any paper, document or instrument affecting or relating to secular rights or the doing of any act for a valuable consideration in a representative capacity, obtaining or tending to obtain or securing or tending to secure for any person, firm, association or corporation any property or property rights whatsoever."

The language is very comprehensive, covering, as it would seem, the collection of claims as well as the preparation of all legal documents.

The Kansas City Bar Association has appointed a committee to assist in the enforcement of these acts.

Another statute (Missouri Sessions Acts of 1915, p. 170) limits the power of a trust company to act as executor under a will drawn by a salaried employee of the company.

The Committee on Professional Ethics of the New York County Lawyers' Association has continued with diligence its interesting work of advising inquirers upon questions concerning proper professional conduct; and the result of the year's work has been carefully set out in the report of the committee presented to the Association, May 8, 1915.

This committee deeply feels the loss which it and the whole association have suffered in the recent death of General Thomas

H. Hubbard. His interest in everything that made for higher professional standards never failed, and his service to the cause was devoted and generous, although hidden, so far as possible, from the public eye. This service included tireless labor on the committee which framed the Code of Ethics for this Association, the contribution from his pocket of the entire cost of reprinting Chief Justice Sharswood's classic treatise and publishing it among the proceedings of the Association, and a handsome endowment of a foundation on legal ethics in the Albany Law School. One of his last works was the interesting and important report of the Committee on Professional Ethics presented at the meeting of the New York State Bar Association on January 22, 1915.

EZRA R. THAYER, *Chairman.*

CHARLES A. BOSTON,

JULIUS HENRY COHEN, •

WILLIAM O. HENDERSON,

JOHN B. SANBORN,

Committee.

REPORT

OF THE

COMMITTEE ON UNIFORM JUDICIAL PROCEDURE.

To the American Bar Association:

The Committee on Uniform Judicial Procedure respectfully reports:

Since the last meeting of the Association, such a strong and wholesome sentiment has manifested itself in favor of the American Bar Association's program for the modernization and uniformity of the procedure of the courts, as to justify the belief that there will be a full appreciation by Congress of the merits of the movement.

THE AMERICAN BAR ASSOCIATION'S PROGRAM.

A fixed program, which had been under consideration for several years, took final and definite form at the Boston meeting in 1910. A condition precedent to its actual achievement was suitable power in the Federal Supreme Court to prepare and put into effect a complete system of rules for the regulation of the *nisi prius* courts. This idea reflects the organic principle of a division of duties between the legislative and judicial departments of government. It involves the idea of court rules, as to details, and legislative control as to fundamental and jurisdictional matters and all questions of permanent procedure and evidence, the latter to be embraced in a short practice code. The result will be the lodging of the responsibility for operation by Congress with the courts. The fact is becoming very generally understood that, although the courts and lawyers are now solely held responsible for juridical defects, the Congress regulates their entire conduct; that the judge is often helpless to prevent injustice being done in his very presence; and the lawyer, by force of these rigid statutes, is compelled to take advantage of technicalities, for he may not draw a distinction between the adjective and substantive law.

THE REASON FOR ITS POPULARITY.

Other elements of the popularity of the American Bar Association's program are that form is sacrificed for principle and that the Supreme Court, which will be ready to hear from lawyers and judges practical suggestions as experience may develop them, can from time to time change the system of rules in response to the call of convenience or justice. Obviously, failure or delay in correcting abuses has done more to prejudice the laity against the courts and lawyers than any other juridical element. The test of any permanent institution is its ability to adapt itself promptly to changing conditions.

AN EXAMPLE OF UNSELFISH PATRIOTISM.

The sentiment of the American Bar Association has been practically unanimous in support of this program and many earnest lawyers and judges are militantly pushing it. Forty-two State Bar Associations have endorsed it and many have special state committees working harmoniously with your committee. They have suppressed all pride of opinion and agreed to depart from long established customs and usages in the interest of the general welfare and, thereby, have made possible a new and wholesome era of judicial relations. It became manifest that the lawyers must modernize the machinery of the courts or it would be done by some less competent agency.

PROGRESS WITH CONGRESS.

It appearing that the 63d Congress would adjourn immediately upon the completion of a legislative program upon which it had been almost uninterruptedly engaged, attention was given to preparation for the 64th Congress and to harmonizing other bills concerning the courts that were found to be pending. To that end a resolution (Senate Resolution 552) appended hereto, was adopted by the Senate, authorizing a sub-committee of the Judiciary Committee of the Senate to consider in vacation a composite bill passed by the House of Representatives in the last preceding session. (H. R. 15578.) Your committee will appear before this sub-committee for the purpose of impressing the principles underlying the American Bar Association's program. It

is respectfully suggested that full authority be given this committee in the premises. It will serve a useful purpose to comment briefly on the bill (H. R. 15578) if, by that means, individual representations are caused to be made to members of Congress.

H. R. 15578.

Its title is "An Act to Codify, Revise and Amend the Laws Relating to the Judiciary." It is 206 pages long; is officially designated as "Judicial Code, Part 2," but will, no doubt, be popularly known as "The Practice Code," and should be so designated. It deals with the following subjects:

1. District Attorneys, Marshals, Clerks, Commissioners, and Stenographers.
2. Pay and Allowances of Court Officers, Jurors and Witnesses.
3. Evidence.
4. Civil Procedure.
5. Criminal Procedure.
6. Procedure on Error and Appeal.
7. Judgments, Cost, and Executions.
8. Limitations.
9. Habeas Corpus.
10. Extradition.

SOME RECOMMENDATIONS.

It would not be practical to discuss in detail the features of so lengthy a bill. Admitting the necessity for a measure of its general character, certain alterations appeal so strongly that they are briefly mentioned:

SEC. 168. Omit the words "By the said courts, respectively," and "to any District Court."

Reason. Uniformity requires one general source of power. Special rules for special localities or conditions can be provided by the Supreme Court upon suitable representation in that behalf.

SEC. 169a. This section forbids the judge to "sum up" the evidence and should be omitted.

SEC. 169b. Arbitrarily requires submission of all issues to the jury regardless of the state of the evidence and should be omitted.

Reason. Permission is asked, however, to say that the judge ought to be empowered to save the time and expense caused by

cases improvidently and improperly brought so as to prevent their going to the jury. Where the evidence is insufficient to support a verdict, the court of necessity would set it aside. It is therefore thought expedient to permit the judge to act before instead of after submitting the case. This is the practice in North Carolina and New York.

SEC. 171. Omit entirely and substitute the American Bar Association's Bill, H. R. 133, a copy of which is attached hereto.

Reason. This bill has met with practically the unanimous support of the American Bar Association and of over 40 State Bar Associations. Its object is to vest in the Supreme Court the same power on the law side of the court that it now possesses on the equity side; to prepare and put into effect a correlated system of rules for the guidance of the trial courts and the detail machinery thereof. It is conceded that the effort at conformity with state practice (Sec. 914 R. S.) is a failure and has become a menace to the administration of justice. The legislative department should enact all statutes concerning jurisdictional and fundamental matters and matters of evidence and of permanent procedure, but the detail operation of the court should be regulated by rules prepared by the Supreme Court. The Supreme Court would amend these rules from time to time as occasion required without having to wait upon or to disturb Congress to enact a statute.

SEC. 180. Insert the words "Provided by the Supreme Court" after the words, "By general rules" and before the words "adopt such" in the eleventh line.

Reason. These amendments make the section consistent with the general principle laid down in Sec. 171 requiring the Supreme Court to make all rules.

SEC. 181. Omit the words "Of such District Court" and insert the word "Such" just before the words "general rules" in the twenty-third line. Omit the words "by general rules" in the twenty-fourth line and insert in lieu thereof the words "in the manner aforesaid."

SEC. 183. Omit entirely. See comments on Sec. 171 and Sec. 180. Uniformity requires that there shall be a single power for making rules. Upon the necessity arising, the Supreme Court will *make all necessary exceptions* and it will *prevent unnecessary exceptions*. This involves the great principle upon which the American Bar Association is practically unanimous.

SEC. 186. Omit the words "The Court may make," in the eleventh line and insert the words "may be made" in the twelfth line, between the words "therein" and "as."

Reason. These alterations harmonize these sections with Sec. 171 as to rule making power and yet leaves the trial court free to

act by way of an "order." The statute does not forbid the exercise of this power by the court and it meets every requirement.

SEC. 189. Insert in line twelve, the word "Supreme" between the words "the" and "Court" and insert in the same line the words "by rule" between the word "direct" and the period.

Reason. This, for the reasons given above, harmonizes the entire statute.

SEC. 218. Change the word "four" in the twenty-sixth line, to "thirty"; and the word "months," in the first line of page 127 to "days"; and add the words, "*provided, that nothing shall prevent such time being extended by the court or the Judge thereof by an order duly entered of record for an additional period of sixty days for good and sufficient reasons to be incorporated in such order.*"

Reason. Litigants are justly complaining of the delay and expense occasioned by appeals. Sec. 218 aggravates this condition. Thirty days is the greatest sufficiency of time in which to prepare simple bills of exceptions. It must be borne in mind that additional time will still be required to make up the record. The amendment suggested serves two purposes, viz: (1) Counsel will be forced to act with reasonable promptness while the facts are yet fresh in the minds of the necessary participants. (2) It will force counsel, seeking a delay, to place upon the record his reasons therefor, thus permitting the responsibility to rest where it properly belongs. The legislative policy, as evidenced by Sec. 226 of H. R. 15578, is to hold counsel responsible in all proper instances. This is to be highly commended.

SEC. 219. Omit the words "its rules," in line eleven, page 128, and insert in place thereof the words "rules of court."

Reason. This, for the reasons above named, brings it into harmony with the entire act.

* * *

SEC. 322. It is respectfully suggested that forty-two days is too long a time for the simple purpose of moving for a new trial. This ought to be done with the utmost speed, and the record should evidence reasons for any delay.

Memo. It is suggested that the act should be known as "The Practice Code" instead of "The Judiciary Bill, 2d Part."

Memo. Time and economy, in the order named, are among the most important of juridical elements. There is justification for the prediction that any effort at juridical reform not reflecting these fundamental principles will prove a failure; that any effort wholly omitting them will destroy the present weakened faith in the courts. The public, within the last few years, has been educated to expect speed and economy in the courts; that the judges are helplessly restricted by iron bound statutes and that relief can

be had only from Congress. These things, as a matter of growing expediency apart from the great principles involved, recommend conformity to the suggestions made.

All provisions in the bill which attempt in any way to impose a limitation upon injunctions other than those contained in the Clayton Bill, should of course be omitted.

THE JUDICIAL SECTION.

Travel Expense.—It is gratifying to report the success of the annual *Conference of Judges*, the first since the preliminary organization at Montreal, having been held at Washington, D. C., in October, 1914. The interesting proceedings have been published. The travel expense of the State Commissioners on Uniform Laws is generally defrayed by the respective states. Such action should be taken as to assure similar legislative appropriations for the chief justices. Your committee has undertaken with gratifying success, to induce leading members of the Bar of each state to take concerted action, but it is hoped that every member of the Association will assist in such manner as recommends itself to his good judgment. The governors of the several states are being requested to recommend an annual appropriation of from \$100 to \$250. *This is a small premium for a state to pay for insurance against conflicting judicial opinions.* The broadening, liberalizing and uplifting influence of this annual exchange of views means much to the nation.

Uniformity of Interpretation.—One of the principal purposes of this organization is to correct the evil of conflict of decisions and it is being greatly aided by the Commissioners on Uniform State Laws, through a Reference Bureau, that furnishes ready reference to all conflicting opinions on a given subject but without further comment. Such conduct connotes a greatly needed harmony.

Uniformity of Procedure.—Through rules prepared and promulgated by the federal Supreme Court uniformity of procedure can be secured better than through a statutory system of pleading and procedure. It is of first importance to do away with rigid statutes in this respect entirely, except acts authorizing the respective and highest state appellate courts to adopt a system of rules for pleading and procedure. Through the Conference of

Judges such uniformity may be brought about. This is but another link in the American Bar Association's plan leading to uniformity of law, of interpretation and of procedure.

Respectfully submitted,

THOMAS W. SHELTON, *Chairman.*

JACOB M. DICKINSON,

WILLIAM HOWARD TAFT,

JOSEPH N. TEAL,

LAWRENCE MAXWELL.

APPENDIX A.

IN THE HOUSE OF REPRESENTATIVES.

APRIL 7, 1913.

Mr. Clayton introduced the following bill; which was referred to the Committee on the Judiciary and ordered to be printed. March 27, 1914: Reported with amendments, referred to the House Calendar, and ordered to be printed.

A BILL

TO AUTHORIZE THE SUPREME COURT TO PRESCRIBE FORMS AND RULES AND GENERALLY TO REGULATE PLEADING, PROCEDURE, AND PRACTICE ON THE COMMON-LAW SIDE OF THE FEDERAL COURTS.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Supreme Court shall have the power to prescribe, from time to time and in any manner, the forms and manner of service of writs and all other process; the mode and manner of framing and filing proceedings and pleadings; of giving notice and serving process of all kinds; of taking and obtaining evidence; drawing up, entering, and enrolling orders; and generally to regulate and prescribe by rule the forms for the entire pleading, practice, and procedure to be used in all actions, motions, and proceedings at law of whatever nature by the district courts of the United States and the District of Columbia.

SEC. 2. *When and as the rules of court herein authorized shall be promulgated, all laws in conflict therewith shall be and become of no further force and effect.*

APPENDIX B.

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 19, 1915.

Mr. Culberson submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate. February 19 (calendar day, March 1), 1915: Reported by Mr. Shafroth, with an amendment; considered, amended, and agreed to.

RESOLUTION.

Resolved, That the Committee on the Judiciary be authorized to appoint a subcommittee thereof to consider, in the interval between the 63d Congress and the first session of the 64th Congress, or during a session or recess of the 64th Congress, the proposed codification, revision, and amendment of the laws relating to the judiciary contemplated in the bill (H. R. 15578) passed by the House of Representatives in the last preceding session, and that such subcommittee be authorized to employ and compensate such persons as may be found necessary to assist in any work arising in connection with such consideration, the expenses thereby incurred to be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the subcommittee and not to exceed in the total \$500.

REPORT
OF THE
SPECIAL COMMITTEE TO SUGGEST REMEDIES AND
FORMULATE PROPOSED LAWS TO PREVENT DELAY
AND UNNECESSARY COST IN LITIGATION.

To the American Bar Association:

The special committee appointed at the meeting of this Association in 1907, and continued at each annual meeting since then, was charged with the duty of considering carefully alleged evils in judicial administration and remedial procedure, and suggesting remedies and formulating proposed laws.

1. LEGISLATION IN CONGRESS.

1. *Law and Equity Bill.*—In accordance with the instructions received from the Association at the Washington meeting of 1914, your committee was heard before the Judiciary Committee of the Senate. The bill had passed the House of Representatives July 20, 1914. It was reported favorably in the Senate on the first day of March, 1915, with a slight amendment. This was to insert the words "if preserved" after the words "all testimony taken before such amendment" in the first section. This amendment was agreed to in the House and the bill was signed by the President and became a law March 3, 1915. A copy of this bill is appended and marked Schedule A.

2. *Bill for Review in Constitutional Cases.*—This bill passed the Senate January 21, 1914. Your committee was heard before the Judiciary Committee of the House of Representatives, which reported the bill favorably. It passed the House and became a law by the approval of the President on the 23d of December, 1914. A copy is appended and marked Schedule B.

We feel that the country is to be congratulated upon the passage of these two important bills. The first has already been availed of to simplify and expedite procedure. It is of far-reaching importance and removes an obstruction to the orderly course of justice which has hitherto been justly criticized.

3. *Reformed Procedure Bill.*—This bill was reported favorably in the House of Representatives as originally recommended by this Association, but when your committee was heard before the Judiciary Committee of the Senate objection was taken by Senators to the second paragraph of the bill, which read as follows:

“The trial judge may in any civil case submit to the jury in connection with the general verdict specific issues of fact arising upon the pleadings and evidence, reserving any question of law arising in the case for subsequent argument and decision, and he and any court to which the case shall thereafter be taken on writ of error shall have the power to direct judgment to be entered either upon the verdict or upon the special findings if conclusive upon the merits.”

One of the objections was on the merits. The Senator making it had found in one of the states where the practice of submitting special questions to the jury prevailed, that so many questions were submitted that the jury were perplexed and confused. He thought the system worked badly. Another Senator had found in his state that the system worked well and favored it strongly, but in his opinion it was a matter that should be left to the regulation of each state. Under the Practice Act, the courts of the United States in each district follow as nearly as may be the local practice in the courts of the state. The Senator thought that in every state where this practice was approved and prevailed, the federal courts would follow it without any act of Congress and he was opposed to creating such a practice in states where the local sentiment was against it. We found that there was no probability of passing the bill if this paragraph were to remain in it. So after consultation with the Senators from New York, Mr. Root and Mr. O’Gorman, who both were much interested in the bill and supported it cordially, we came to the conclusion that it was advisable to make no objection to reporting the bill with the omission of this last paragraph. It was accordingly so reported in the House on the 12th of December, 1914. It went to the Senate and was reported favorably on the 5th of January, 1915. But the legislative time was so closely occupied with other legislation, particularly the shipping bill, that it became impossible to bring the bill to a vote without unanimous consent. Objection was made on the ground that the legislation was too important to go through without full consideration and the bill therefore

did not come to a vote. It is unnecessary for us to repeat the arguments which have been fully presented in previous reports in favor of the reform embodied in this third bill. We recommend that the committee be instructed to take measures to secure its introduction at the next session of Congress and to take such steps as it shall deem expedient to procure its passage. A copy is appended and marked Schedule C.

4. Your committee is of opinion that the proposition to provide a way in which in every circuit questions of fact can be submitted to the jury for special consideration and special verdict, should not be given up. But we think that the first part of the bill as proposed by the Association is so important that the two reforms should not be embodied in one bill. We therefore recommend for consideration to the Association a fourth bill which would provide a convenient method for taking a verdict upon specific questions of fact arising on the trial, and thereby enabling the appellate court to dispose of the case finally without the delay and expense of a new trial. This proposed bill is marked Schedule D.

In the Commonwealth of Massachusetts an act has been passed which was approved April 19, 1915, which provides for an alternative verdict. This was drawn with reference to the decision of the United States Supreme Court in *Slocum vs. New York Life Insurance Co.*, 228 U. S. 364. This subject of an alternative verdict has been discussed before the Judiciary Committee of the House of Representatives. It was not then received with favor and your committee is of opinion that it would be inadvisable to attempt to bring this particular measure before the attention of Congress at present. We however submit for the information of the Association a copy of the bill referred to, which is marked Schedule E.

We have been unable to interest Congress in the bill providing for a reduction of the fees and mileage of United States marshals, which was Schedule E in our report presented in October last.

Your committee recommend for adoption the following resolution:

Resolved, That the Special Committee to Suggest Remedies and Formulate Proposed Laws be continued with the powers heretofore conferred upon it, and that it be instructed to take

such steps as it shall deem expedient to procure the passage of the bill, of which a copy is annexed to this report and marked Schedule C, and also the bill in relation to the fees and mileage of United States marshals referred to in the report of which a copy marked Schedule E was annexed to the report presented in October.

EVERETT P. WHEELER, *Chairman*,
 SAMUEL C. EASTMAN,
 ROSCOE POUND,
 FRANK IRVINE,
 HENRY D. ESTABROOK,
 R. E. L. SANER,
 H. B. F. MACFARLAND,
 EDGAR A. BANCROFT,
 J. G. SLONECKER,
 PAUL HOWLAND,
 JOHN D. LAWSON,
 ADELBERT MOOT,
 ALBERT C. RITCHIE,
 FREDERICK A. FENNING.

SCHEDULE A.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO CODIFY, REVISE AND
 AMEND THE LAWS RELATING TO THE JUDICIARY,"

APPROVED MARCH 3, 1911.

Be it enacted by the Senate and House of Representatives in Congress assembled, That the act entitled "An act to codify, revise and amend the laws relating to the judiciary, approved March 3, 1911, be, and the same is hereby, amended by inserting after section 274 thereof three new sections, to be numbered, respectively, 274a, 274b and 274c, reading as follows:

"SEC. 274a. That in case any of said courts shall find that a suit at law should have been brought in equity or a suit in equity should have been brought at law, the court shall order any amendments to the pleadings which may be necessary to conform them to the proper practice. Any party to the suit shall have the right, at any stage of the cause, to amend his pleadings so as to obviate

the objection that his suit was not brought on the right side of the court. The cause shall proceed and be determined upon such amended pleadings. All testimony taken before such amendment, if preserved, shall stand as testimony in the cause with like effect as if the pleadings had been originally in the amended form.

"SEC. 274b. That in all actions at law equitable defenses may be interposed by answer, plea or replication without the necessity of filing a bill on the equity side of the court. The defendant shall have the same rights in such case as if he had filed a bill embodying the defense or seeking the relief prayed for in such answer or plea. Equitable relief respecting the subject matter of the suit may thus be obtained by answer or plea. In case affirmative relief is prayed in such answer or plea, the plaintiff shall file a replication. Review of the judgment or decree entered in such case shall be regulated by rule of court. Whether such review be sought by writ of error or by appeal the appellate court shall have full power to render such judgment upon the records as law and justice shall require.

"SEC. 274c. That where, in any suit brought in or removed from any state court to any district court of the United States, the jurisdiction of the district court is based upon the diverse citizenship of the parties, and such diverse citizenship in fact existed at the time the suit was brought or removed, though defectively alleged, either party may amend at any stage of the proceedings and in the appellate court upon such terms as the court may impose, so as to show on the record such diverse citizenship and jurisdiction, and thereupon such suit shall be proceeded with the same as though the diverse citizenship had been fully and correctly pleaded at the inception of the suit, or, if it be a removed case, in the petition for removal."

Approved March 3, 1915.

SCHEDULE B.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO CODIFY, REVISE AND AMEND THE LAWS RELATING TO THE JUDICIARY,"

APPROVED MARCH 3, 1911.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 237 of chapter 10 of an act entitled "An act to codify, revise and amend the laws relating to the judiciary," approved

March 3, 1911, is hereby amended by adding thereto the following:

"It shall be competent for the Supreme Court to require, by certiorari or otherwise, any such case to be certified to the Supreme Court for its review and determination, with the same power and authority in the case as if it had been carried by appeal or writ of error to the Supreme Court, although the decision in such case may have been against the validity of the state statute or authority claimed to be repugnant to the constitution, treaties or laws of the United States, or in favor of the title, right, privilege or immunity claimed under the constitution, treaty, statute, commission or authority of the United States."

Approved December 22, 1914.

SCHEDULE C.

SIXTY-THIRD CONGRESS, THIRD SESSION. CALENDAR No. 745.
H. R. 12750 (REPORT No. 853).

IN THE SENATE OF THE UNITED STATES.

DECEMBER 17, 1914.

Read twice and referred to the Committee on the Judiciary.

January 5, 1915. Reported by Mr. O'Gorman, without amendment.

A BILL

RELATING TO PROCEDURE IN UNITED STATES COURTS.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 269 of the Judicial Code, approved March 3, 1911, be, and the same is hereby, amended by adding at the end thereof the following:

"No judgment shall be set aside or reversed or a new trial granted by any court of the United States in any case, civil or criminal, on the ground of misdirection of the jury or the improper admission or rejection of evidence, or for error as to any matter of pleading or procedure, unless in the opinion of the court to which application is made, after an examination of the entire cause, it shall appear that the error complained of has injuriously affected the substantial rights of the parties."

SCHEDULE D.

AN ACT

RELATING TO PROCEDURE IN UNITED STATES COURTS.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 269 of the Judicial Code, approved March 3, 1911, as amended by the Act of Congress approved March 3, 1915, be, and the same is hereby, amended by adding at the end of section 274c the following:

"SEC. 274d. At the trial of an issue of fact by a jury in any civil proceeding, when the determination of the matters in controversy or any of them shall depend on some question or questions of law raised at the trial, it shall be the duty of the judge, by putting particular questions of fact to the jury or otherwise, to ascertain the facts necessary to enable the court finally to determine the said matters according to any decision that may be made of the questions of law, unless in the opinion of the judge such a course is unnecessary or inexpedient in the circumstances of the case. And the court upon an application for judgment, if satisfied that it has before it all the material necessary for determining the said matters or any of them, may give judgment accordingly. But, if it shall be of opinion that it has not sufficient material to enable it to give judgment as to such matters or some of them, it may direct that the application stand over for further consideration and may grant leave to either party to introduce and put into the record additional documentary evidence as to which no question of fact arises, and may, while retaining the verdict originally rendered, order a trial by jury of any questions of fact which the court shall decide are material and which were not disposed of upon the first trial. Upon the said new evidence or the verdicts upon such trials the trial court or the appellate court shall have power to render final judgment and to make any such further order as the case may require."

SCHEDULE E.

COMMONWEALTH OF MASSACHUSETTS.

AN ACT

TO AMEND JUDICIAL PROCEDURE IN RESPECT TO PRACTICE AT TRIALS.

SECTION 1. Chapter 173 of the Revised Laws is hereby amended by striking out section 120 and inserting in place thereof the following: Section 120. When exceptions to any ruling or direction of a judge shall be alleged, or any question of law shall be reserved, in the course of a trial by jury, and the circumstances shall be such that, if the ruling or direction at the trial was wrong, the verdict or finding ought to have been entered for a different party or for larger or smaller damages or otherwise than as was done at the trial, the judge may reserve leave, with the assent of the jury, so as to enter the verdict or finding, if upon the question or questions of law so raised the court shall decide that it ought to have been so entered. The leave reserved, as well as the findings of the jury upon any particular questions of fact that may have been submitted to them, shall be entered in the record of the proceedings, and, if upon the question or questions of law it shall be decided, either by the same court, or by the appellate court, that the verdict or finding ought to have been entered in accordance with the leave reserved, it shall be entered accordingly and, when so entered, shall have the same effect as if it had been entered at the trial.

SEC. 2. Nothing herein contained shall be so construed as to limit the powers of the court conferred by chapter 236 of the acts of the year 1909 or by chapter 716 of the acts of the year 1913.

Approved April 19, 1915.

REPORT
OF THE
COMMITTEE TO OPPOSE JUDICIAL RECALL.

To the American Bar Association:

The undersigned, appointed for the year 1914-1915 as your Committee to Oppose the Judicial Recall, respectfully submit the following report:

THE CLIMAX OF JUDICIAL RECALL PASSED.

Our last report showed that the judicial recall agitation was already discredited through the propaganda of your committee against this doctrine of lawlessness. The American people had, in many localities, been induced to favor, and in some states to adopt, the proposition of judicial recall, either in the form of the recall of judges or of the recall of judicial decisions, or both. This movement was but a temporary and local result of the demagogic appeals to passion and prejudice which had been indulged in by certain agitators, some of them in high places, whose craze for change led them to become allies of socialism. For a time their hold upon the people was strong because their proposals for radical innovations, striking at the very foundation of our constitutional form of government, were forced upon the favorable consideration of voters through the prestige of the present or past rank of those who were urging them before the people. The contest between the advocates and opponents of judicial recall has been a contest between prejudice and enlightenment. In such a contest the ultimate advantage must be with those who represent conservative intelligence. The opposition to the judicial recall has been carried on by organized and persistent work in bringing home to the mind of the American citizen the true character of the measures which were proposed as a specific remedy for evils admitted to be present in the administration of justice. It was only necessary to discover to the American people the fundamental fallacy of judicial recall in order to insure its repudiation

as a possible remedy, and, indeed, its practical elimination from American politics.

From our experiences of former years it seemed to us a year ago that the then coming year would prove that the judicial recall had passed its climax and that the contest represented by your committee had been successful. Nevertheless, with the convening of over 40 state legislatures and with the advocacy of judicial recall then still persistent, we entered upon our year's work with many feelings of apprehension. The members of your committee have stood as outposts, each in his own state, to guard against further encroachments.

We are pleased to report that, during the past year, not only has no advance been made by the opposition, but that, on the contrary, we have been compelled to meet in only a few instances, and in those successfully, any activity from the other side. It cannot be said that the judicial recall is dead. So far, however, as concerns further progress at the present time, it is beaten "to a frazzle"; although that may not yet be openly admitted by some publicists whose bent of mind is so socialistic that judicial recall has with them become a hopeless chronic obsession.

REPORTS FROM THE STATES.

The latest reports show that in all of the states where there has been no special activity of judicial recall agitation there is less likelihood than ever that the question will be seriously agitated. In many states where the proposal had seriously been made to establish the judicial recall, but had been defeated, it has grown more and more in disfavor. In states where it has been attempted during the past year to extend its adoption, the measure has been defeated more quickly and by greater majorities than ever before.

In Kansas the constitutional amendment for the recall of public officials, including judges, which was submitted under the proposal of the legislature of 1913 for adoption by the people at the general election in November, 1914, was adopted. With this exception the states which have adopted the judicial recall in any form are the same as those enumerated in our report for the year 1912-1913. We think that it may be safely said that Kansas will remain the last state to adopt any form of judicial recall.

In Minnesota the constitutional amendment for the recall of public officials including judges, which was proposed by the legislature of 1913, was defeated at the general election in November, 1914, when it lacked about 40,000 votes of the number necessary for its adoption. This was after a special campaign of opposition, conducted under the direction of the Minnesota members of your committee, in which the prize arguments of a law school student and of a high school student, both sons of Minnesota, were widely and effectually used. At the same time the constitutional amendment, which was a part of the measure to increase the number of Supreme Court judges, by which more than a majority of the Supreme Court were made necessary to declare a statute unconstitutional, was defeated; and that for the reason that it thus limited the usual powers of the court. The Minnesota legislature of 1915 rejected a bill proposing a constitutional amendment for the recall of public officials, including judges. It passed a bill proposing a constitutional amendment to increase the number of Supreme Court judges from five to seven, but without any restriction, as adopted by the legislature of 1913, that it should require more than a majority to declare a statute unconstitutional. The attitude of the Minnesota legislature of 1915 toward the judicial recall, as thus shown, is emphasized by the fact that a constitutional amendment for the adoption of the initiative and referendum was passed. The latter bill renewed the proposition which had been defeated at the general election in 1914.

In the Massachusetts legislature of 1915 a bill was introduced by the only Socialist member providing for a constitutional amendment for judicial recall, but it received substantially no support.

In the North Dakota legislature of 1915 a bill proposing judicial recall was killed in the House, whereas two years before the same bill had passed the House by a majority of about two and one-half to one and had been finally killed in that legislature by a margin of only one vote.

In Colorado there is a large and growing sentiment in favor of repealing the constitutional amendments adopted in 1912 providing for recall of judges and recall of judicial decisions. The increasing reaction in that state against judicial recall has not

however, as yet reached the point where it is advisable to press the matter of repeal. The delay may be advantageous, for in the meantime Colorado will continue to furnish practical demonstrations in support of the arguments which we have urged against the recall of judicial decisions. One example is significant: The constitution of Colorado empowers the city of Denver to control its own local affairs. Denver, therefore, comes within the judicial recall amendment, permitting the citizens of Denver by a majority vote to recall a Supreme Court decision involving the enforceability of a city charter provision as against the state constitution. That constitution provides for prohibition throughout the state. The "Wets" are in a majority in the city of Denver; and in the contest which is now on between the "Wets" and "Drys" of Denver, the Supreme Court of the state will probably hold the constitutional state-wide prohibition clause to apply to Denver, whereupon the "Wets," within the city, will invoke the decision recall and by submitting such decision of the Supreme Court to the electors of the city will doubtless bring about its reversal. Many prohibitionists have heretofore strenuously advocated the judicial decision recall as adopted in 1912. They now see that it may result in at least a partial failure in Colorado of the prohibition movement; and that the idea of local option has been established, not only with reference to the liquor question, but also with reference to the question of the enforceability of the decisions of the highest court of the state.

In California public opinion seems to be already tending to a repudication of judicial recall as adopted there. "The Pulse of the Pacific" on this question is shown by the following editorial in the current number of the "Sunset" magazine, under the title of "Intimidating Judges":

"There has been more or less trouble over franchise and trackage rights between the municipal and the private street railroad lines in San Francisco. This trouble culminated in July when the private company, after a full hearing, obtained an injunction against the use of certain tracks by the municipal lines. Through this injunction the municipal lines would lose a goodly share of their exposition business, and, in consequence, would have to discharge conductors and motormen.

"Twenty-four hours after the decision the labor union of the municipal railway employees began recall proceedings against the judge who had granted the decision. So loud grew the

clamor against the decision that the presiding judge of the superior court took the case out of the hands of the trial judge and, practically without a hearing, set the injunction aside. A second San Francisco judge to whom the case was to be assigned refused to accept the assignment.

"Is it more reprehensible to intimidate judges by political than by financial or social pressure? This question is asked without regard to the legal merits of the case."

In Nevada the movement for judicial recall has been turned into a movement to revoke recall of judges already adopted.

In Illinois the situation is summarized in the statement of a legislator who was formerly in favor of judicial recall, but who now says, "We have got done doing that sort of thing."

From Montana we hear that the matter was not mentioned in the recent state legislative assembly; "and were it not for the ravings of disgruntled Socialists it would die a natural death."

In New York it is reported "that owing to the militant attitude of the State Bar Association upon the subject, and the high standing of its members, who have presented a united front in opposition to this destructive vagary, such demand as heretofore existed for it in the State of New York is practically dead." The lawyers there have united in denouncing judicial recall as "a measure designed and used by aspiring and unscrupulous demagogues." While the present constitutional convention in New York invites the suggestion of many vagaries, there seems to be no disposition seriously to propose any form of judicial recall; and, considering the make-up of the convention, it may be expected that such proposal will not meet anything but overwhelming defeat.

Without mentioning other states in detail, the conclusion seems to be unanimous that there is now less than ever before probability of the further extension in this country of this fallacy; and that in the states where it has been adopted the general sentiment has turned in favor of a movement to rid the state constitutions of this experimental excrescence which has been grafted upon them. This change is exemplified in a report that comes from Connecticut where it is said "that the supporters of the judicial recall in any form are so few that it is difficult to find them with a microscope, except one or two of the leaders of the Progressive Party, and they are so mum about it that it would seem as if they

had forgotten there was ever such an issue." From Kentucky: "I believe judicial recall is dead. I believe interest in it has waned enormously, and that it is no longer popular. I believe it is thoroughly discredited. Inasmuch, therefore, as the people have been thinking on the question, and especially as they have begun to lean against it, I hope that it is the opportune time to improve judicial tenure," and from West Virginia where it is said that criticism of the courts has not yet led to the demand for radical change of judicial recall, but for less drastic remedies.

The report from Missouri seems to summarize the present situation throughout the country. There it is reported that in the legislature of this year no legislation was had, and no attempt was made at legislation, in favor of judicial recall: "The agitation for this measure is not only subsiding, but a very decided opposition to it has set in. The country is now on the road to have normal conditions restored and without renewed disturbance, unless the old time reactionaries, pure and simple, become overconfident and invite renewed disturbance."

It would be misleading to characterize the judicial recall movement as safely dead. It is down and out in the sense that a contestant is down and is taking the count. For some time yet there will be constant danger that neglect of the situation may find us suddenly confronted with a revived antagonist. This Association should not withhold any necessary means of safeguarding the situation.

POSSIBILITIES OF REVIVAL.

The persistence of this fallacy presents many possibilities of its revival, in one form or another. Within the past year the American Judicature Society has in the course of its work "to promote the efficient administration of justice," issued a bulletin which treats of proposed reforms in the organization of the courts. It proposes the abolition of the elective system of judges, and then, as a sop to the lingering predilection in favor of judicial recall, it is proposed to add to the present method of retirement of judges through impeachment, not only the right of removal upon charges made and adjudicated by the state legislature and by a judicial council, but also the retirement by a fourth method. By this fourth method it is proposed to sub-

mit to the electorate at certain intervals of time the proposition, "shall _____ (naming the judge) be continued in office?" If the vote is in the affirmative the judge remains in office. If in the negative, then the judge goes out of office and the vacancy is filled by appointment as in the case of original selection. It is argued that this last proposition is not in reality a judicial recall and that it simply preserves the present periodic power of retirement, existing under the elective system, at the same time that it eliminates many of the objectionable features of that system. It is quite probable that sooner or later the American Bar Association will be asked to approve such a proposition. That such a measure should be proposed by any society whose active members comprise well-known lawyers, is significant, of the extent to which the judicial recall fallacy has taken hold. It shows that judicial recall is dead only in spots. This proposition bows too much to the enemy. It prescribes a poison in modified regular doses for the purpose of curing those who have become addicted in a dangerous degree to a vicious narcotic. It is a remedial tapering off, a sort of conciliatory concession, under the guise of a remedy, to a vicious appetite which had temporarily seized upon the electorate. Logically, it is impossible; and we trust that the American Bar Association will not be caught in a proposition to remedy the organization of the courts by the disorganization of constitutional government involved in any measure which gives over to the electorate the arbitrary power to retire a judge during the term of office for which he has been elected or appointed.

The National Progressive Constitutional Convention Committee, in New York, has, through its chairman, issued a threat to defeat at the polls any draft of a state constitution which does not conform to the views of that committee; and for this purpose, the manifesto says: "The National Progressive party will enter into battle to mass the electorate of the state, without regard to party, against the acceptance of a partisan or reactionary constitution." Among the demands embodied in the declaration are the following:

"There must be no clauses in the new constitution which can be set up as a bar to the initiative, referendum, and recall of officers; direct nominations for public officers by the electors, and legislation in the direction of social and industrial justice.

"Provisions of the constitution should ordain home rule for cities and villages; the short ballot, a rational method for determining the constitutionality of statutes that will give effect to the wishes of the people at any given time, and a declaration that there shall be no limitation upon the power of the Legislature to pass measures looking toward social and industrial justice."

The phrase, "a rational method for determining the constitutionality of statutes, etc.," is plainly a euphemism for the recall of judicial decisions. The judicial recall, therefore, may yet become an issue in the adoption of a new constitution in New York.

BIBLIOGRAPHY.

Important discussions, which do not appear in the former bibliographies of the committee, include the following:

AFFIRMATIVE.

"Some Myths of the Law," by Walter Clark, *Michigan Law Review*, November, 1914.

NEGATIVE.

"Responsibility of the Lawyer," by John M. Zane, address before the graduating class of the John Marshall Law School, Chicago, June 27, 1914.

"Vote 'No (X)' on the Proposal (No. 10) an Amendment to Article Seven (?) of the Constitution Providing for the Recall of Public Officials; to be submitted at the next General Election," by Harvey S. Hoshour of Duluth, Minnesota, and Arthur O. Lee of Madison, Minnesota, being the first prize arguments in two prize contests, (1) for students of the Minnesota law schools, and (2) for students of Minnesota high schools, against the Recall of Judges. These arguments were widely published and distributed in a successful campaign against the adoption of the constitutional amendment for the recall of public officials, including judges, proposed by the Minnesota Legislature of 1913, for adoption at the general state election in November, 1914.

Report of the New York State Bar Association Committee on the Duty of Courts to Refuse to Execute Statutes in Contravention of the Fundamental Law, presented January 22 and 23, 1915; S. D. 941, 63d Congress, 3d Session.

"The Citizen and the Constitution," by Alton B. Parker, 23 *Yale Law Journal* 631, June, 1914.

- "Lord Mansfield: An Example to Those Who Would Undermine the Independence of the Judiciary," by Harrison J. Conant, Green Bag, September, 1914.
- "The Evolution of the Independence of the Judiciary." Presidential address by Hampton L. Carson, before the Pennsylvania Bar Association, June 30, 1914.
- "Judicial Power to Declare Legislative Acts Void," by Oscar Hallam, Justice of the Supreme Court of Minnesota reprint from the American Law Review, 1914.

During the year the Chairman of this committee has made the following addresses:

- "The Lawlessness of the Judicial Recall," address before South Dakota State Bar Association, at Pierre, S. D., January 14, 1915.
- "The Lawyer as Amicus Curiae," address before graduating class of John Marshall Law School at Chicago, Illinois, June 22, 1915.

RECOMMENDATIONS.

We recommend that the American Bar Association maintain its organized opposition to judicial recall; and that the work of its committee be continued.

Respectfully submitted,

ROME G. BROWN, Minneapolis, Minn., *Chairman*,
LAWRENCE COOPER, Huntsville, Ala.,
EVERETT E. ELLINWOOD, Bisbee, Ariz.,
GEORGE B. ROSE, Little Rock, Ark.,
CURTIS H. LINDLEY, San Francisco, Cal.,
FRANK E. GÖVE, Denver, Col.,
WILLIAM BROSMITH, Hartford, Conn.,
WILLARD SAULSBURY, Wilmington, Del.,
CLARENCE R. WILSON, Washington, D. C.,
WILLIAM A. BLOUNT, Pensacola, Fla.,
ALEXANDER R. LAWTON, Savannah, Ga.,
DAVID L. WITHINGTON, Honolulu, Hawaii,
JAMES H. HAWLEY, Boise, Idaho,
GEORGE T. PAGE, Peoria, Ill.,
SAMUEL O. PICKENS, Indianapolis, Ind.,
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CHARLES BLOOD SMITH, Topeka, Kans.,

EDMUND F. TRABUE, Louisville, Ky.,
 EDWIN T. MERRICK, New Orleans, La.,
 WILFORD G. CHAPMAN, Portland, Me.,
 WILLIAM L. MARBURY, Baltimore, Md.,
 JEREMIAH SMITH, JR., Boston, Mass.,
 CYRENIUS P. BLACK, Lansing, Mich.,
 JAMES S. SEXTON, Hazlehurst, Miss.,
 CHARLES NAGEL, St. Louis, Mo.,
 D. GAY STIVERS, Butte, Mont.,
 WILLIAM D. McHUGH, Omaha, Neb.,
 HUGH H. BROWN, Tonopah, Nev.,
 JAMES SCHOULER, Intervale, N. H.,
 RICHARD V. LINDABURY, Newark, N. J.,
 WILLIAM C. REID, Roswell, N. M.,
 A. T. CLEARWATER, Kingston, N. Y.,
 HARRY SKINNER, Greenville, N. C.,
 HARRISON A. BRONSON, Grand Forks, N. D.,
 CHARLES B. WILBY, Cincinnati, Ohio,
 JAMES R. KEATON, Oklahoma City, Okla.,
 FREDERICK V. HOLMAN, Portland, Ore.,
 RODNEY A. MERCUR, Towanda, Pa.,
 MANUEL RODRIGUEZ-SERRA, San Juan, P. R.,
 THOMAS A. JENCKES, Providence, R. I.,
 P. ALSTON WILLCOX, Florence, S. C.,
 U. S. G. CHERRY, Sioux Falls, S. D.,
 JOHN B. KEEBLE, Nashville, Tenn.,
 ROBERT G. STREET, Galveston, Tex.,
 EDWARD B. CRITCHLOW, Salt Lake City, Utah,
 GEORGE B. YOUNG, Newport, Vt.,
 EPPA HUNTON, JR., Richmond, Va.,
 CHARLES E. SHEPARD, Seattle, Wash.,
 D. J. F. STROTHER, Welch, W. Va.,
 BURR W. JONES, Madison, Wis.,
 JOHN W. LACY, Cheyenne, Wyo.

REPORT
OF THE
SPECIAL COMMITTEE TO PRESENT BILLS TO CONGRESS
RELATING TO COURTS OF ADMIRALTY.

To the American Bar Association:

The special committee to present to Congress three bills relating to courts of the United States sitting in admiralty, respectfully reports as follows:

The Lien Bill, having been heretofore approved by the President, as already reported, needs no further notice; the bill to authorize suits against the United States for damages caused by government vessels has made no progress since the last annual meeting of the Association.

The bill to provide a remedy for death by negligence upon the high seas and other navigable waters has received much attention from the special committee of the Association. Having been introduced by Representative Peters of Massachusetts in the Sixty-third Congress (H. R. No. 6143), it was on December 22, 1913, reported with unanimous recommendation from the Committee on the Judiciary of the House, certain unimportant amendments having first been made in committee.

On December 16, 1914, Chairman Webb called up the Peters Bill practically in the form last submitted to the Association, only a few minor changes having been afterwards made by the Judiciary Committee. Congressman Bryan of Washington, laboring perhaps under a misconception as to the scope of the measure, vigorously contested it. He seemed to think that the committee proposed a workmen's compensation law for the high seas, and not to realize that the sole purpose is to provide a right of action for death in the admiralty where a remedy exists for injuries not resulting in death; or in other words, to amend the maritime law of the United States by statute as the common law of the states has been amended by state legislation. In consequence of Mr. Bryan's opposition, adjournment was taken without action.

Thereafter, your committee, at the request of Mr. Webb, endeavored to answer the criticisms of Mr. Bryan, and in consequence much correspondence and many personal interviews ensued, members of the special committee and of the committee of the Maritime Law Association appearing in advocacy of the bill before the House committee.

Further amendments having been made by the Judiciary Committee, the bill came up for final passage in the House on January 6, 1915, when it was strongly supported by Chairman Webb, by Representative Montague of Virginia, and others; and despite the unabated opposition of Mr. Bryan passed the House by the encouraging vote of 284 to 14.

Unfortunately, however, the bill was, prior to passage, amended from the floor by the addition of a section, which sought to establish a new standard of limitation of liability, extending even to pending cases. The obvious purpose of this amendment was to govern the special case of the "Titanic" in the Southern District of New York, in which case the Supreme Court of the United States had already held (May 25, 1914) the measure of liability fixed by the American law in limitation proceedings to be controlling, although the claimants had vigorously contended in favor of applying the more liberal British law to the case. The effect of the amendment would have been to increase the fund for distribution from \$91,805.54 to \$2,500,000 (approximately).

Moreover, the entire amendment, thus interpolated into the bill immediately prior to passage by the House, was foreign to the subject matter of the measure, which bears no relation to limitation of liability by shipowners, but is solely "An Act Relating to the Maintenance of Actions for *Death* on the High Seas and other Navigable Waters."

In addition, the bill was so amended at the last moment, as to be capable of the construction that two recoveries might be had—one under the state act and one under the federal act.

These changes rendered the bill hopelessly objectionable to the special committee of the Association as well as to the committee of the Maritime Law Association, and no report from the Senate Judiciary Committee with adequate changes having been possible

in view of the divergent views of those advocating the adoption of the law, the reform long advocated by the Association must lie over until the next session of Congress.

Since the adjournment on March 4, 1915, the Maritime Law Association, in which the movement for the reform originated, has adopted a resolution directing its committee on the death statute to re-draft the bill and to report at a meeting of that Association to be held on November 22, 1915, in New York City.

The special committee of the Association proposes, if continued, to take up with the committee of the Maritime Law Association the matter of reframing the bill so as to obviate some of the difficulties which have developed, and thereafter to bring about its re-introduction at the next session of Congress, which opens December 6, 1915.

Therefore, the special committee now recommends that it be further continued, with directions to endeavor by all proper measures to procure the passage of the proposed death statute, and also of the proposed statute to authorize suits against the United States for damages by government vessels, in conformity with the policy heretofore declared by the Association, and with power to make, in the discretion of the special committee, such amendments of phraseology in either of the bills as it may deem appropriate or expedient.

All of which is respectfully submitted.

GEORGE WHITELOCK, *Chairman*,
EDWARD G. BENEDICT,
ROBERT M. HUGHES,
BENJAMIN THOMPSON,
JAMES H. HAYDEN,

Committee.

June 15, 1915.

REPORT

OF THE

COMMITTEE ON GOVERNMENT LIENS ON REAL ESTATE.

To the American Bar Association:

Your Special Committee on Government Liens on Real Estate begs leave to report that the only matter pending before your committee relates to the removal and disposition of government liens.

The last report of your committee recommended that an effort be made to secure the passage by Congress of the proposed act embodied in that report, which was approved and appears on pages 626 to 628 of the proceedings of 1914. No effort has been made by your committee to bring about the enactment of the legislation mentioned, during the past year, as it was deemed better policy that the matter be presented to the Congress which will convene in December of the present year, as, in view of the great amount of business pending before the short session of the last Congress, it seemed to be unwise to attempt to obtain the passage of the bill.

Your committee therefore respectfully recommends that the matter be referred to a like committee to be appointed by the next President of your Association, with instructions to cause the proposed act to be presented to the Sixty-fourth Congress.

Respectfully submitted,

JOHN T. RICHARDS, *Chairman*,

FRANCIS LYNDE STETSON,

JOS. M. STAYTON.

REPORT

OF THE

SPECIAL COMMITTEE ON LEGISLATIVE DRAFTING.

To the American Bar Association:

The inaptness, confusion and obscurity of our legislation by nation and state is a subject which has been much referred to in addresses before your Association. Such criticisms have but reflected a feeling shared by practically all members of the Bar and the public generally, that the draftsmanship of much of our statutory law is poor. In your appointment of this Special Committee on Legislative Drafting, your Association recognized the fact that the Bar of the United States as organized in your Association should, if possible, not only call attention to the evils resulting from confused and poorly drawn statutes, but should also help to correct the evil by positive suggestion and constructive action.

The object of our committee is, as we understand it, to promote scientific legislative drafting. With the political, economic or social policy to be expressed by Congress or state legislatures we have nothing to do. Our business is to strive to impress on the members of the Bar, on legislatures, and the people generally, the fact that, given a definite policy to be effected, the proper arrangement and wording of the statute so that the intent may be clear and needless litigation and confusion avoided is a distinct art governed by scientific rules capable of definite expression. It is also our duty to point out to your Association how it may assist in improving what we may call the technic of our statutory law.

In our first report, that of 1913, we stated that our investigations convinced us that legislative reference and drafting departments conducted on proper lines provided efficient agencies to furnish legislatures with scientific and expert assistance in the drafting of legislation. As a result of our report your Association passed a resolution urging the formation, in connection with Congress and the various state legislatures, of official legislative

reference and drafting bureaus. Last year we were able to state that since the publication of our report of 1913 such official agencies had been created in four additional states, while Congress had appropriated \$25,000 for legislative reference work under the direction of the Librarian of Congress, and the summary of existing state laws relating to legislative drafting and similar agencies, published as Appendix C of our 1914 report, showed that 22 states had already adopted some such agency.

Unfortunately the early date at which it is necessary to submit this report makes it impossible for us to append hereto, as we were able to do last year, an account of the action taken by state legislatures in relation to legislative drafting and reference bureaus and similar agencies during their recent sessions. During the year, however, your committee communicated with the directors of the various official drafting bureaus and similar agencies, asking them to let us have a short synopsis of their work, together with any observations which they might care to make in regard to the organization of their bureaus, and suggestions for further development which they might believe would be of interest to your Association. Your committee has arranged in Appendix C (*infra*) the replies received. We also reprint (see Appendix D) that portion of the report of the Joint Special Committee on Legislative Procedure of the Massachusetts Senate and House of Representatives recommending "the establishment of a new office to be called 'clerk of committee' to be an expert upon drafting legislation and to have charge of the detail of committee work," because it contains an excellent statement of the necessity for official expert assistance in the drafting of legislation, and also makes certain suggestions in regard to the organization and work of such official agencies, which are, we believe, worthy of consideration.

It is often asked whether an official drafting agency can be an impartial instrument to assist legislatures, committees and executive officials in preparing bills for submission to the legislature, irrespective of their political connections, of the purposes of the legislation, or the ends desired to be accomplished? Anyone at all familiar with the actual operation of existing drafting and legislative bureaus knows that the services of the expert draftsman connected with such bureaus can be secured by anyone

entitled to such services, irrespective of his political connections or the policy to be expressed in the act which they desire drawn. That an employee of such a bureau should attempt to promote legislation is, of course, conceivable. But the remedy is always self-acting. A drafting bureau, the members of which would so far forget their duties as to seek to promote legislation, must quickly lose public confidence. This fact and the fact that those engaged in the work rapidly acquire, even if they do not possess at the start, a professional code of ethics which regards the promotion of legislation as the one cardinal sin, form a great practical safeguard against any abuse on the part of the members of an official drafting bureau of their position as expert advisers in the technic of legislative drafting.

Your committee also addressed a letter to the secretaries of the different Bar associations, asking them what, if any, assistance their association furnished members of the legislature or others in the drafting of bills. Almost all the replies received were of a negative character. To this, however, there was a notable exception, namely: the action taken by the Nevada Bar Association. At the annual session of that association held in November, 1914, Mr. Hugh H. Brown made a report upon the work of this committee, and also on the establishment of legislative drafting and reference bureaus by different states. The result of his report was an appropriation of money by the Nevada Bar Association for the purpose of creating an unofficial and voluntary legislative drafting and reference bureau to assist the Nevada legislature. Mr. Brown, in his letter to the committee, states:

"The State Bar Association proceeded along these lines: (a) In order that the service might be at the disposal of the legislature throughout the entire session, and without waiting for a tardy enactment on the part of the legislature itself, creating a statutory bureau; and (b) because we felt that a practical demonstration of the efficiency of such a service would be a stronger argument in favor of a statutory enactment than any campaign of solicitation or education we might project."

Your committee has recently received a further report from Mr. Brown on the work of the voluntary bureau thus established during the recent session of the Nevada legislature, in which he states that the work of the unofficial bureau created a favorable impression and that the Nevada Association believes that they

have laid "a good foundation for the establishment by the next session of the legislature of an official bureau. Many of the legislators avail themselves of the unofficial bureau."

The promotion of legislative drafting and reference bureaus is but one of several ways in which your Association can promote scientific draftsmanship of our statutory law. In our report to your Association in 1913 we pointed out that there is no book written in the English language, in the light of administrative and judicial experience, on legal ways and means by which a given legislative policy can best be rendered effective. Until such a work exists the task of anyone who seeks to draft a statute will remain one of great difficulty, though he may have a clear conception of the policy he desires to have carried out. We believe, and we so expressed ourselves in the report referred to, that the most practical way in which this Association can do its part to promote scientific legislative draftsmanship is to help create a legislative manual containing a collection of directions or suggestions to draftsmen, and model clauses for constantly recurring statutory provisions. We also submitted as Appendix C of the 1913 report, a tentative draft of the contents of such a manual. As a result of our recommendation a resolution was passed by your Association directing this committee to prepare for submission to the Association, if further investigation should show such preparation to be practical, a legislative manual containing suggestions for drafting laws.

Last year, in connection with our report, we submitted as Appendix A and B tentative drafts of portions of the text of the manual on legislative drafting covering, "The Language and Arrangement of Statutes" (Appendix C, report of 1914), and "Provisions for Adoptive Acts" (Appendix B, report of 1914). The tentative text so submitted demonstrated the possibility of creating such a manual, as well as its usefulness, and your Association adopted a resolution directing us to prepare for submission to this Association a manual of legislative drafting. In accordance with this direction we submit this year tentative drafts of portions of the proposed text covering "Administrative Regulations" (see Appendix A), and "Penalties" (see Appendix B).

The work on the proposed manual can from its very nature be done only by those who have had experience in the practical problems dealt with in the text, and given thought and study to their solution. Under the most favorable conditions it will necessarily take several years to complete the text. Only when all the parts are completed and revised will your committee be in a position to ask your Association to give the work the stamp of your official approval. The chief value of the publication in your annual reports of the parts tentatively completed, aside from the fact that use is already being made of them by those charged with the duty of drafting statutes, is the fact that it affords an opportunity to members of your Association and others to submit to the committee criticisms and suggestions. Your committee is especially anxious to emphasize the fact that such criticisms and suggestions are earnestly invited.

In a resolution adopted by your Association in 1913 we were especially directed "to report what, if any, changes in existing legislative procedure, or procedure in connection with the operation of the initiative will tend to the improvement of our statutory law." Last year we were obliged to report: "The time occupied in the task of preparing (the tentative chapters of the manual on legislative drafting submitted) has been so great as to prevent the members of your committee undertaking a . . . study . . . of the initiative." This year your committee was informed that Mr. William A. Schnader, of the Philadelphia Bar, had made an elaborate study of the practical operation of the initiative in the states which have adopted that system of legislation. Your committee requested Mr. Schnader to give to the committee any suggestions which he might have for the improvement of the draftsmanship of initiative laws of the Constitutional Amendments. Mr. Schnader kindly complied with our request. It is his opinion that there are but two feasible ways for improving the draftsmanship of initiative laws and amendments:

First: That the indirect system of initiating laws and amendments should be established requiring both laws and amendments to go to the legislature before submission to the voters.

Second: That any state machinery now authorized to assist the legislature in drafting measures be required to extend its aid to those who desire to use the initiative, and that as the drafting

of legislative measures is aided and safeguarded by the extension of the duties and powers of legislative drafting bureaus, the same aids and safeguards should be applied to measures proposed under the initiative.

The reasons for these recommendations are set forth in his letter which we submit herewith as Appendix E.

The subject is one of increasing importance and Mr. Schnader's recommendations are entitled to careful consideration. We are not, however, as yet in a position to make to your Association any definite recommendations on the subject.

Your committee recommends the adoption of the following resolution:

"Resolved, That the Special Committee on Legislative Drafting be continued and directed to continue to prepare for submission to this Association a legislative manual which will contain a collection of directions, or suggestions, for drafting laws, and model clauses for constantly recurring provisions and problems, and the committee is hereby authorized to co-operate for the purpose with other organizations and individuals; and the committee is further authorized to continue any research pertinent to the improvement of the form of our statutory law and report the results of its investigations to this Association."

Respectfully submitted,

WILLIAM DRAPER LEWIS, *Chairman*,
HENRY C. HALL,
THOMAS I. PARKINSON,
ERNST FREUND,
JAMES D. ANDREWS,
J. MAYHEW WAINWRIGHT,
JOSEPH N. TRAL.

APPENDIX A.

TENTATIVE TEXT OF MANUAL FOR LEGISLATIVE DRAFTING.

TOPIC: ADMINISTRATIVE REGULATIONS.

I. IN GENERAL.

1. PRACTICE OF DELEGATION.

It is inevitable that administrative authorities should have power to make rules for certain purposes or under certain cir-

cumstances, and an express power to make rules is not uncommonly conferred upon them by American statutes.

The practice involves the question of the constitutional validity of the delegation of legislative power. It is conceded that there are limits to the extent to which such power may be delegated, but the limits have never been clearly defined; nor is there any generally accepted or easily applicable criterion to distinguish between administrative and legislative rules.

Nearly all cases in which there has been held to be an unconstitutional delegation of legislative power, are cases in which the operation or effect of some statutory provision has been made to depend upon an act of unregulated administrative discretion; cases in which the delegation of a power to make rules and regulations has been held to be unconstitutional have been very rare, the most conspicuous being those in which the legislature undertook to leave it to the insurance commissioner to prepare standard forms of insurance policies which were to be used exclusively (*O'Neill vs. Insurance Co.*, 166 Pa. St. 72; *Dowling vs. Insurance Co.*, 92 Wis. 63); the decision in California holding invalid the power given to the state viticulturist to make rules against the introduction and spread of vine diseases (*Ex. p. Cox* 63 Cal. 21) is against the strong current of authority (*Butterfield vs. Stranahan*, 192 U. S. 470; *Hurst vs. Warner*, 102 Mich. 238; *Peo. vs. Van der Carr*, 175 N. Y. 440; *Isenhour vs. State*, 157 Ind. 517; *People vs. Tait*, 261 Ill. 197); the statement in *Tugman vs. Chicago*, 78 Ill. 405, that powers of regulation should be delegated only to elected officers was merely a dictum.

The present tendency seems to be to recognize the validity of rule making powers to a very considerable extent, and probably experience alone can show to what lengths the legislature may or should justly go.

It will aid draftsmen to know the extent of the practice in the past, the forms in which the power has been granted, and the limitations and safeguards by which the exercise of the power has been surrounded.

It would on the other hand, at the present time be neither practicable nor desirable to define by constitutional provision the permissible scope of administrative regulation. It would be

impossible to devise a formula adequately expressing the proper limits of delegation.¹

A very liberal and indiscriminate delegation of powers of regulation is undesirable, because it leads to diffuseness and uncertainty of the written law.

The observations in Mr. Winthrop's treatise on Military Law Regarding the Army Regulations are pertinent in this respect (Vol. I, p. 34):

"To the student, as well as in practice, army regulations are the most unsatisfactory element of our written military law. Presented in connection with statutes from which they are sometimes imperfectly discriminated; not unfrequently themselves partaking of the character of legislation and thus of doubtful validity; and fatally subject, as we have seen, to constant and repeated modification, their effect too often is to embarrass and mislead where they should, assure and facilitate. To render them entirely useful, they should in the opinion of the author, be reduced to the smallest available bulk; all that are really statutes and all that are of a legislative quality should be eliminated; only those should be included that are purely general, those relating to the business of the staff corps being left to be established by the heads of the same, subject to the approval of the President; and the authority to amend should be most rarely exercised."

Whatever therefore the rule of constitutionality, it is important to bear in mind, that the practice of American legislation in the past has been conservative, and that a similar conservative spirit is manifest in the judicial construction of delegated powers.

The English practice is equally conservative, while in Germany and France there seems to be a greater inclination to leave the enumeration or specification of matters falling within some principle to administrative regulation.

Thus the German Weights and Measures Act of May 30, 1908, is a brief measure leaving it to an Imperial Commission to see to

¹ In a recent case, *Interst. Com. Commission vs. Goodrich Co.*, 224 U. S. 194, 214, 1912, the U. S. Supreme Court uses the following language:

"The Congress may not delegate its purely legislative powers to a commission, but having laid down the general rules of action under which a commission shall proceed, it may require of that commission the application of such rules to particular situations and the investigation of facts, with a view to making orders in a particular matter within the rules laid down by the Congress."

uniformity of standardization and to determine the conditions of certification, and the Commission thereupon issued a code consisting of 151 sections.

Again the German Pure Food Act of 1879 authorizes regulations prohibiting designated methods of preparation, preservation or packing, or prohibiting the sale of food of designated quality or under misleading designations, or prohibiting the sale of animals for slaughter or of food from animals where the animals suffer from diseases specified in the regulations, or the use of material or dyes specified in the regulations for the manufacture of articles of use or consumption, or the sale of oil below a specified grade. The act itself contains in the main only administrative provisions while the substantive part is practically altogether left to administrative regulation. No English or American food legislation goes to that extent.

A more conservative view is indicated in the Saxon Building Code, with regard to which an authoritative treatise says:

"It was necessary to attempt at least to express in the act the technical building provisions of general importance. There remained for executive regulation those provisions which had rather the character of formal requirements and official instructions to the appropriate authorities, the easy changeability of which according to changing needs is unobjectionable from a legislative and desirable from a practical point of view."

2. TERMINOLOGY.

The terms "rules" or "regulations" are the most common and appropriate to designate the enactments of a rule making authority.

However, sometimes the word "order" or even "special order" (confined to a particular class) is used, although it would be better to reserve these terms to orders of particular or individual application.

The word "ordinance" is applied to enactments of the legislative bodies of municipal corporations, which in England are called by-laws. The latter term we apply to the rules of private corporations.

3. MATTERS APPROPRIATE TO BE DELEGATED FOR ADMINISTRATIVE REGULATION.

The established practice indicates, at least approximately, under what conditions the legislature is justified in leaving a matter to administrative regulation.

The most important cases represent one of the following conditions:

1. That the matter relates to administrative organization, and does not directly affect the rights of individuals outside of that organization.

2. That action must be adapted to the exigencies of abnormal and unforeseeable conditions (*e. g.*, quarantine).

3. That the matter concerns only the technical detail of a legislative policy sufficiently indicated in the statute (food standards).

4. That the matter is so variable according to varying conditions that it is impracticable for the legislature to foresee all contingencies (rates; wages).

The most important distinction in rules and regulations is that between rules which impose duties and restraints upon persons not in the public service, and in their private dealings and transactions, and rules which affect only official conduct or private individuals in their relations and dealings with the public. A duty cast upon private individuals to enter into relations with public officials (particularly a duty to report) is however properly classed with the first category.

The first category is generally marked by the imposition of penalties for violation or non-compliance.

Procedural safeguards in making and publishing rules are generally only called for in connection with the first category.

4. SAFEGUARDS IN CONNECTION WITH THE DELEGATION.

The safeguards are of three kinds:

- (a) Indicating as far as possible the principles which are to be observed in framing rules and regulations.

- (b) Procedural safeguards in the preparation and enactment of rules, particularly publicity, notice and hearing, and appeal.

- (c) Submission to the legislature for cognizance or approval.

These safeguards are better developed in English than in

American legislation, and English models may therefore be advantageously consulted.

II. MATTERS DEALT WITH BY DELEGATED RULE MAKING POWER UNDER ESTABLISHED LEGISLATIVE PRACTICE.

The following are the most common and conspicuous matters which under the established practice of American and English legislation are left to be dealt with by rules made by administrative authorities.

1. REGULATIONS CONCERNING THE PERFORMANCE OF OFFICIAL DUTIES BY SUBORDINATES.

A convenient model is found in U. S. Revised Statutes 161:

"The head of each department is authorized to prescribe regulations not inconsistent with law, for the government of his department, the conduct of its officers and clerks, the distribution and performance of its business, and the custody, use and preservation of the records, papers and property appertaining to it."

A power, similar in nature, but of a much wider scope, is given in U. S. Revised Statutes 1752:

"The President is authorized to prescribe such regulations, and make and issue such orders and instructions, not inconsistent with the Constitution or any law of the United States, in relation to the duties of all diplomatic and consular officers, the transaction of their business, the rendering of accounts and returns, the payment of compensation, the safekeeping of the archives and public property in the hands of all such officers, the communication of information, and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce, from time to time, as he may think conducive to the public interest. It shall be the duty of all such officers to conform to such regulations, orders, and instructions."

A very general power to prescribe duties is also given with regard to the Revenue Cutter Service:

U. S. Revised Statutes 2758:

"The Secretary of the Treasury may direct the performance of any service by the revenue vessels which in his judgment is necessary for the protection of the revenue."

U. S. Revised Statutes 2762:

"The officers of revenue cutters shall perform in addition to the duties hereinbefore described, such other duties for the collection and security of the revenue as from time to time shall be directed by the Secretary of the Treasury, not contrary to law."

2. REGULATIONS PRESCRIBING FORMS TO BE OBSERVED BY THE PUBLIC IN TRANSACTING BUSINESS WITH SOME OFFICE OR DEPARTMENT.

Power to issue regulations of this kind seems to be less commonly granted; thus the Postmaster-General is merely given authority "to instruct all persons in the postal service with reference to their duties," and aside from matters of official routine, all regulations regarding the use of postal facilities by the public seem to emanate directly from the law.

The Secretary of the Treasury is given power to "prescribe forms of entries, oaths, bonds, and other papers" (251).

A very wide power is given to the Collector of Internal Revenue (321) to "prepare and distribute all the instructions and regulations, directions, forms, blanks, stamps and other matters pertaining to the assessment and collection of internal revenue."

Where proceedings of a semi-judicial character are conducted before some official authority, a rule-making power may be given in the form adopted by the Interstate Commerce Act, according to which the Interstate Commerce Commission "may, from time to time, make and amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, including forms of notices and the service thereof (which shall conform, as nearly as may be, to those in use in the courts of the U. S.). (Interstate Commerce Act, 1887, 17.)

For the rule-making power of administrative commissions, the following is a comprehensive form (Illinois Public Utilities Act, 1913, 8):

"The commission shall have power to adopt reasonable and proper rules and regulations relative to the exercise of its powers, and proper rules to govern its proceedings, and to regulate the mode and manner of all investigations and hearings, and to alter and amend the same."

3. REGULATIONS FOR THE ORGANIZATION, RECRUITING AND TENURE OF THE PUBLIC OFFICIAL SERVICE, OR OF CERTAIN BRANCHES THEREOF.

As distinguished from regulations of the first and second class, they involve important questions of policy, of governmental efficiency, and of official status, and are proper subjects of direct

statutory provision. In monarchical countries the regulating power, however, belongs to the executive as an inherent, and not a delegated, right, and through the influence of European and especially English precedent, there is in America a liberal delegation of power to the Chief Executive. The English influence is particularly noticeable in civil service legislation. The reform in England took place by orders in council without parliamentary interference, and the Federal Act of 1883, following the English model, left details of elaboration likewise to executive rules, and that has become the common type of civil service legislation in America. The power of regulation covers matters of qualification, appointment, tenure and discipline.

It is at least doubtful whether the power to prescribe rules for the government of a branch of the official service, extending beyond mere details, can be exercised merely by virtue of the possession of the chief executive authority.

Attorney-General Cushing, in 1853 pronounced against the validity of the "Naval Code" promulgated without legislative authority (6 Ap. Att. Gen., p. 10), and this authority is now supplied (U. S. R. S. 1547).

See on this subject also Winthrop, *Military Law*, Vol. I, pp. 20-34.

The *civil service laws* are in the United States the most conspicuous instance of legislation through regulations or rules, and the manner of delegation therefore deserves particular attention.

The rules are to be made by the President, and the co-operation of the Commissioners is referred to merely as an aid to the President.

A number of important rules are laid down by the statute directly: *e. g.*, that against the employment of persons using liquor to excess, that against the employment of more than two members of any family, rules forbidding recommendations by members of Congress, political assessments and contributions, solicitation in offices, etc.

The act itself specifies eight matters for which the rules must provide, and which cover the essential points of the system of competitive examinations and appointment according to merit, and at the same time leaves some flexibility by adding "as nearly as the conditions of good administration will warrant," and by

providing that necessary exceptions shall be set forth in connection with the rules, and the reasons therefor stated in the annual reports. The classification of the service must conform as closely as possible to that provided for in the Revised Statutes.

The rule-making power thus appears carefully circumscribed, and the vital principle of the law is fixed by the statute itself.

The whole matter being one not involving ordinary civil rights, there was no occasion for procedural safeguards in framing rules, and no method is prescribed for making or promulgating the rules.

4. REGULATIONS IN CASES OF EMERGENCY.

The existence of a special emergency invests regulations of this class with a semi-administrative character, and this in its turn serves to justify the delegation of power (*Blue vs. Beach*, 155 Ind. 121).

The power to make regulations for contagious diseases is perhaps the most common rule-making power in the United States; it is exercised by federal, state and local authorities and extends to diseases of animals as well as of human beings. Legislative practice and judicial construction are equally liberal.

For a particularly full delegation of a power of this class, see Wisconsin Revised Statutes 1408:

"The board shall have power to establish such systems of inspection as in their judgment may be necessary to ascertain the presence of the contagion or infection of Asiatic cholera, diphtheria, scarlet fever, smallpox, leprosy, typhus or ship fever, yellow fever or other dangerous contagious disease—the words dangerous contagious disease as used in this chapter meaning such diseases as the board shall designate as contagious and dangerous to the public health; and any member or duly authorized agent or inspector of said board may enter any building, vessel, railway car or other public vehicle to inspect the same and remove therefrom any person affected by such a disease, and for this purpose may require the person in charge of any vessel or public vehicle, other than a railway car, to stop the same at any place, and may require the conductor of any railway train to stop his train at any station or upon any sidetrack for such time as may be necessary. The board may also, from time to time, make, alter, modify or revoke rules and regulations for guarding against the introduction of any such disease into the state, for the control and suppression thereof within it, for the quarantine and disinfection of persons, localities and things infected or suspected of being

infected by such disease, for the transportation of dead bodies, for the speedy and private interment of the bodies of persons who have died from dangerous contagious disease, for the proper observance of the provisions of sections 4608a and 4608b, for the proper sanitary care of jails, asylums, schoolhouses, hotels and all other public buildings and the premises connected therewith, and, in emergency, may provide those sick with any such disease with necessary medical aid and with temporary hospitals for their accommodation and also for their nurses and attendants. The board may declare any or all of its rules and regulations made in accordance with the provisions of this section to be in force within the whole or any specified part of the state and make them applicable to any vessel, railway car or public vehicle of any kind. Such rules and regulations, if of general application, shall be published in the official state paper; but whenever, in the judgment of the board, it shall be necessary so to do special rules, regulations or orders may be made for any city, village or town without being so published, and the service of copies thereof upon the proper city, village or town officers shall be sufficient notice thereof. Rules, regulations or orders made in accordance herewith, shall, for the time being and until revoked, supersede all local rules, regulations or ordinances that may be in conflict therewith. All health officers, local boards of health, sheriffs, constables, policemen, marshals and other officers and employees shall respect and enforce the rules and regulations made in pursuance hereof in every particular affecting their respective localities and duties. Any person who shall neglect or refuse to obey such rules and regulations or who shall wilfully obstruct or hinder the execution thereof shall be punished for each offense by a fine of not less than \$25 nor more than \$500, or by imprisonment in the county jail for not more than six months or by both fine and imprisonment. It is the duty of all city, county, town and village officers, of all local boards of health and all officers and persons in charge of all institutions, buildings, vessels and vehicles within this section to co-operate with the state board of health in carrying out these provisions, and if such co-operation be refused or withheld said board may execute its rules and regulations by agents of its own appointment, and all expenses incurred in so doing shall be paid by the county, city, town or village the officers of which have failed to so co-operate and in behalf of which expenses have in consequence thereof been incurred; provided, that such liability for expenses shall not exist if they are incurred for the prevention and control of Asiatic cholera and the state has created a fund for that purpose."

5. POWERS OF REGULATION GIVEN TO BOARDS OF HEALTH.

Where a local board of health is at the same time the governing authority of the locality, its rule-making power may be co-extensive with the ordinance-making power of a municipal corporation and therefore cover the entire field of local health conditions. Such a power of regulation is legislative and not administrative.

In some cases local boards of health with appointed members and of a primarily administrative character have likewise exercised wide legislative powers. Thus, comprehensive "sanitary codes" have been enacted by the health department of the city of New York (see Goodnow *Municipal Government*, p. 166, as to its history) and by the state board of health of Louisiana, and the Sanitary Code of the city of New York has been repeatedly recognized and confirmed by the legislature (Consolidation Act of 1882; Charter of Greater New York, 1901). These are exceptional cases.

The rule-making powers of state boards of health do not generally go beyond the lines indicated by the first four classes above referred to. In Florida and Illinois the power is, however, couched in terms apparently much further reaching. Florida speaks of power to make and enforce rules and regulations necessary for the preservation of the public health of Florida, and in Illinois the state board of health has "authority to make such rules and regulations, and such sanitary investigations, as they may from time to time deem necessary for the preservation or improvement of public health." The Supreme Court of the state, however, has held (*Potts vs. Breen*, 167 Ill. 67), particularly in view of its duty to recommend legislation, that the powers of the board are limited to the proper enforcement of statutes, having reference to emergencies requiring action on the part of the agencies of government to preserve the public health; the validity of a rule requiring vaccination without reference to the existence or menace of smallpox was therefore denied.

This decision is important as demonstrating that vague and sweeping powers of regulation are not looked upon with favor, and that the prevailing more conservative practice of legislation is sound.

The same principle is illustrated in the case of *Wyeth vs. Thomas*, 200 Mass. 474, 86 N. E. 925. The state board of registration in embalming was given power by statute to adopt rules and regulations governing the care and disposition of dead bodies and the business of embalming. The board undertook to make a rule forbidding local authorities to issue permits for the burial of the dead to any persons not being licensed embalmers. The rule was held invalid. It was an act of legislation plainly not within the scope of delegation, and would have been of doubtful validity even if the legislature had made the requirement.

A peculiarly limited power of regulation is found in the English Sale of Food and Drugs Act, 1899, 4, which authorizes the board of agriculture to make regulations for determining what deficiency in normal constituents or what addition of extraneous matter shall for the purpose of the act *raise a presumption until the contrary is proved* that a dairy product is not genuine or injurious to health.

6. POWERS OF REGULATION FOR SAFETY AND HEALTH IN FACTORIES AND WORK PLACES.

There are three types of factory laws: one, of which the Illinois Health, Safety and Comfort Act of 1907 is an example, in which the statute itself specifies minutely all sanitary and safety requirements; another, illustrated by the English Factory and Workshop Act, 1901, in which there are many specific requirements, and in addition a subsidiary power of regulation; and a third, illustrated by the Industrial Commission Law of Wisconsin, in which practically all specification of requirements is left to administrative regulations.

The less the principles upon which a matter is to be regulated are capable of scientific ascertainment and demonstration, the more the regulation must be a matter of discretion and policy, and hence the delegation is of legislative rather than of administrative power. The progress of knowledge and science while it enlarges the scope of regulation reduces the scope of discretion, and an enlarged power of administrative regulation is therefore by no means incompatible with an increased security of private right.

The constitutional justification of so wide a delegation as that of the Wisconsin law can only be found in the view that health and safety standards are matters of scientific elaboration or of practical adjustment, in the choice between which no principle is involved, so that a declaration that the standards shall be reasonable constitutes an adequate expression of legislative policy.

Conceding this view, which, however, is not beyond controversy, it remains to be seen whether the system of administrative regulations carries with it the requisite degree of authority and permanence.

For a subsidiary power of regulation, Section 79 of the British Factory and Workshop Act of 1901, may serve as a model:

"Where the Secretary of State is satisfied that any manufacture, machinery, plant, process or description of manual labor, used in factories or workshops, is dangerous or injurious to health or dangerous to life or limb, either generally or in the case of women, children or any other class of persons, he may certify that manufacture, machinery, plant, process or description of manual labor to be dangerous; and thereupon the Secretary of State may, subject to the provisions of this act, make such regulations as appear to him to be reasonably practicable and to meet the necessity of the case."

More elaborate is the provision of the Labor Law of New York, 51 (3), (4) and 52 (1):

"51. *Jurisdiction of Board.*—The board shall have power: (3) to make, alter, amend and repeal rules and regulations for carrying into effect the provisions of this chapter, applying such provisions to specific conditions and prescribing specific means, methods or practices to effectuate such provisions.

"(4) To make, alter, amend or repeal rules and regulations for guarding against and minimizing fire hazards, personal injuries and disease, with respect to (a) the construction, alteration, equipment and maintenance of factories, factory buildings, mercantile establishments and other places to which this chapter is applicable, including the conversion of structures into factories and factory buildings; (b) the arrangement and guarding of machinery and the storing and keeping of property and articles in factories, factory buildings and mercantile establishments; (c) the places where and the methods and operations by which trades and occupations may be conducted and the conduct of employers, employees and other persons in and about factories, factory buildings and mercantile establishments; it being the policy and intent of this chapter that all factories, factory buildings, mercantile establishments and other places to which this

chapter is applicable, shall be so constructed, equipped, arranged, operated and conducted in all respects as to provide reasonable and adequate protection to the lives, health and safety of all persons employed therein and that the said board shall from time to time make such rules and regulations as will effectuate the said policy and intent.

"52. *Rules and Regulations; Industrial Code.*—(1) The rules and regulations adopted by the board pursuant to the provisions of this chapter shall have the force and effect of law and shall be enforced in the same manner as the provisions of this chapter. Such rules and regulations may apply in whole or in part to particular kinds of factories or workshops, or to particular machines, apparatus or articles; or to particular processes, industries, trades or occupations; and they may be limited in their application to factories or workshops to be established, or to machines, apparatus or other articles to be installed or provided in the future."

The following form of subsidiary rule-making power is recommended in a draft outline for a model safety law prepared under the auspices of the National Civic Federation:

"28. *Rules.*—In order to make more effective the foregoing statutory regulations, and in order to carry out their purpose and intent, which is the prevention of accidents, the Board of Safety Experts, upon the request of the (Chief Factory Inspector) and as to the matters referred to in such request and not otherwise, after first giving reasonable public notice and a reasonable opportunity to be heard to all affected thereby, from time to time shall make and from time to time may change or modify general or special rules for any purpose for which rules are explicitly or implicitly authorized in any other section of this chapter and also for the purpose following, to wit:

"(a) To prescribe the specific means, methods or practices to carry out the purpose and intent of any provisions of this chapter.

"(b) To define the application of any provision of this chapter to specific conditions; and to fix and make definite any time, period, space, distance, height, quantity or quality prescribed indefinitely in any provision of this chapter.

"(c) To exclude from the application of any provision of this chapter specific conditions covered by its letter, but not by its purpose and intent.

"(d) To prescribe, upon conditions, alternative methods of complying with any of the provisions of this chapter so as more effectually to carry out its purpose and intent."

The delegation in the Wisconsin law is in very simple and general terms:

"2394-51. The Industrial Commission is vested with the power and jurisdiction to have such supervision of every employment, place of employment and public building in this state as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment, place of employment or public building to be safe, and requiring the protection of the life, health, safety and welfare of every employee in such employment or place of employment and frequenter of such place of employment, and the safety of the public or tenants in any such public building.

"2394-52. It shall also be the duty of the Industrial Commission, and it shall have power, jurisdiction and authority:

"(4) To ascertain and fix such reasonable standards and to prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards and other means or methods of protection to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety and welfare of employees in employments and places of employment or frequenters of places of employment.

"(5) To ascertain, fix and order such reasonable standards, rules or regulations for the construction, repair and maintenance of places of employment and public buildings, as shall render them safe."

For power to make safety regulations in connection with public utilities, see Illinois Public Utilities Law, 57:

"The commission shall have power, after a hearing and upon its own motion or upon complaint, by general or special orders, rules or regulations, or otherwise, to require every public utility to maintain and operate its plant, equipment or other property in such manner as to promote and safeguard the health and safety of its employees, passengers, customers, and the public, and to this end to prescribe, among other things, the installation, use, maintenance and operation of appropriate safety or other devices or appliances, including interlocking and other protective devices at grade crossings or junctions and block or other systems of signaling, to establish uniform or other standards of equipment, and to require the performance of any other act which the health or safety of its employees, passengers, customers or the public may demand."

7. POWERS OF REGULATION IN CONNECTION WITH RAILROADS AND OTHER PUBLIC UTILITIES.

Very considerable legislative and judicial attention has been given to this matter since the introduction of railroad commissions.

There are to be distinguished three stages or grades of commission powers, the merely advisory or supervisory, the mandatory which is merely negative, and the mandatory which is also positive by way of direction and regulation.

The decision in *Interstate Commerce Commission vs. Cinc. N. O., etc., R. Co.*, 167 U. S. 479 (1897), settled the interpretation of certain statutory phrases. A general direction to the commission to execute and enforce the provisions of the act, accompanying a declaration that railroad rates shall be reasonable, enables the Commission merely to entertain complaints in an informal manner (see 15th Annual Report of the Commission for 1901) or at most to set the prosecuting and judicial machinery of the law in motion.

Even a further power to order an offending carrier to cease and desist from his illegal practices was held to be insufficient to support a rate-making power; and this conservative construction brought about the enlarged commission powers of the act of 1906. By this act "the Commission is hereby authorized and empowered to determine and prescribe what will be the just and reasonable individual or joint rate or rates, charge or charges, to be thereafter observed in such case as the maximum to be charged, and what individual or joint classification, regulation, or practice is just, fair and reasonable, to be thereafter followed, and to make an order that the carrier or carriers shall cease and desist from such violation to the extent to which the Commission finds the same to exist, and shall not thereafter publish, demand, or collect any rate or charge for such transportation or transmission in excess of the maximum rate or charge so prescribed, and shall adopt the classification and shall conform to and observe the regulation or practice so prescribed."

More simple is the phrasing of the Public Utilities Act of Illinois which gives the commission power to "determine the just, reasonable or sufficient rates or other charges, classifications, rules, regulations, contracts or practices to be thereafter observed and in force" (41): also "to establish and fix reasonable and sufficient joint rates or other charges or classifications" (42).

The Illinois law moreover gives an important power to standardize service as follows:

"54. The commission shall have power to ascertain, determine and fix for each kind of public utility suitable and convenient

standard commercial units of service, product or commodity, which units shall be lawful units for the purposes of this act; to ascertain, determine and fix adequate and serviceable standards for the measurement of quantity, quality, pressure, initial voltage or other condition pertaining to the performing of its service or to the furnishing of its product or commodity by any public utility, and to prescribe reasonable regulations for examining, measuring and testing such service, product or commodity, and to establish reasonable rules, regulations, specifications and standards to secure the accuracy of all meters and appliances for examining, measuring, or testing such service, product or commodity."

Exhaustive collections of all statutory provisions relating to public utilities have been made by the Department on Regulation of Utilities of the National Civic Federation, and (with special reference to telephone and telegraph companies) by the American Telephone & Telegraph Company (Volume "Commission Laws," Boston, 1914). The National Civic Federation has also prepared a draft of a model public utility law, which seems to have been used considerably in the preparation of the Illinois act.

The powers of regulation regarding rates and service of public utilities are frequently so phrased as to make their exercise quasi-judicial rather than legislative, or corrective rather than normative. That is to say, the initial power remains with the company and the commission acts only on being satisfied of the unreasonableness, inadequacy or illegality of the rate or practice adopted. The power of regulation is thus assimilated to the power to issue orders of individual application; the magnitude of the public utility business obliterating to a certain extent the line between particular orders and general rules.

8. RULES AND REGULATIONS "FOR CARRYING OUT THE PROVISIONS" OF AN ACT.

A rule-making power thus phrased is found in pure food acts (U. S., 1906, 3; Illinois, 1907, 38) and probably in other statutes.

The regulations issued under the Federal Pure Food Law indicate the scope of such power: they confine themselves to explanations, warnings and administrative directions regarding the exercise of official duties or the conduct of official proceedings.

Generally speaking, there is no attempt to prescribe anything

that the law itself does not prescribe (an exception is rule 17 requiring all information which the law requires to appear on the label, to be in English), but in a few cases the regulation undertakes to specify what constitutes misbranding, etc.; such a regulation of course is subject to the judicial interpretation of what the statutory term means. Most regulations are such as the authorities charged with the administration of the act might make simply by virtue of their power to lay down rules for their own action or for the convenience of the public.

The Department of Agriculture has disclaimed for the food inspection decisions issued under its authority any legal force:

"They are issued more in an advisory than in a mandatory spirit. It is clear that if the manufacturers, jobbers and dealers interpret the rules and regulations in the same manner as they are interpreted by the Department, and follow that interpretation in their business transactions, no prosecution will lie against them." (F. I. D. 44, Dec. 4, 1906.)

The phrase "rules and regulations for carrying out the provisions of the act" thus does not in reality mean a great deal. At the same time its vagueness makes it liable to be misunderstood as meaning more than it does mean, and may afford a temptation to issue invalid regulations.

A more specific grant of power is therefore more desirable.

9. ADMINISTRATIVE REGULATIONS TO SECURE THE UNIFORM EXERCISE OF ADMINISTRATIVE DISCRETION.

If a discretion or a power to determine matters which are liable to differences of opinion or judgment is vested in an official or board, respect for precedent and the need of uniformity will in any event in the regular course of administration produce something like a set of rules and principles upon which the discretion will be exercised; there can in consequence be no objection to a statutory direction to frame such rules for the guidance and information of the public.

Since such rules would be very likely to be adopted by successors in office, it is also legitimate to provide that rules so framed shall remain in effect until altered by the same authority. An illustration of a rule-making power of this kind is found in the Illinois Revenue Act 3 in connection with the valuation of the capital stock of companies and associations by the state board of equalization:

"Such board shall adopt such rules and principles for ascertaining the fair cash value of such capital stock as to it may seem equitable and just, and such rules and principles when so adopted if not inconsistent with this act, shall be as binding and of the same effect as if contained in this act, subject, however, to such change, alteration or amendment as may be found from time to time to be necessary by said board."

In meeting the contention that this constituted an invalid delegation of legislative power, the Supreme Court said (*Porter vs. Rockford R. C.*, 76 Ill. 561, 586):

"We are unable to perceive that any power is in this respect conferred upon the board which it would not equally have possessed had the statute been silent upon the subject, or that the power given is more than is, by fair implication, conferred upon local assessors, and exercised by them in all cases where they make rational and just assessments of the property within their districts."

So the Federal Reserve Act, 1913, 9, provides:

"The Organization Committee or the Federal Reserve Board shall establish by-laws for the general government of its conduct in acting upon applications made by the state banks and banking associations and trust companies for stock ownership in federal reserve banks."

10. STATUTORY PROVISION TO BE APPLIED OR NOT APPLIED IN THE DISCRETION OF AN ADMINISTRATIVE AUTHORITY.

This is not in reality a power of regulation, but a delegation of power to determine the going or not going into effect of legislation, either generally or with regard to certain classes of persons, matters or places.

The one day rest in seven law of New York (1914, Ch. 396) thus provides that the law shall not apply "To employees, *if the commissioner of labor in his discretion approves*, engaged in the work of any industrial or manufacturing process necessarily continuous in which the employee is permitted to work more than eight hours in any calendar day."

The Court of Appeals, while sustaining the law in general, expressed strong doubts as to the validity of this provision (*Peo. vs. Klinck, etc.*, Co. 108 N. E. 278).

It represents indeed a delegation of legislative discretion of the most pronounced type, and is strongly objectionable by reason

of its failure to indicate any guidance as to the manner in which the discretion is to be exercised.

It is a very different case, if the legislature indicates the conditions under which a statute is to operate and leaves the ascertainment of the existence of those conditions to an administrative authority. This latter kind of delegation has been sustained by the Federal Supreme Court in *Field vs. Clark*, 143 U. S. 649.

The New York Labor Law seems to contain both types of delegation in one subsection: Section 81, subsection 2 requires fans for grinding wheels, except that in case of wet-grinding it is unnecessary to comply with this provision unless required by the rules and regulations of the industrial board—there being no indication of any principle on which the board is to act. The same subsection requires in case of a dust-creating machine a fan to be kept running constantly, except where in the case of wood-working machinery the industrial board shall decide that it is unnecessary for the health and welfare of the operatives—the delegation here being for the purpose of ascertaining a condition or fact.

The British Factory Act of 1901 contains a number of clauses by which the operation waiver or variation of requirements is left to the judgment of the Secretary of State. (See 36, 42, 47-52, 54-56, 58-60.) The statute specifies the classes of concerns with regard to which the special power applies, the nature of the exigency, and the manner and scope of variation. The order of the Secretary, where it relieves of a requirement, may be conditioned on the adoption of special means or provisions (§58).

The power of the Secretary of State can apparently be exercised only with reference to particular classes of establishments, not with regard to particular individual establishments; but provision is made for rules and methods to be observed by each particular concern that desires to avail itself of the special order (notice, registers, etc.; see Section 60). There is also power to rescind these special orders if no longer necessary, or if injurious to health (§59).

11. ADMINISTRATIVE REGULATIONS EXTENDING THE SCOPE OF AN ACT, OR VARYING THE EFFECT OF ITS PROVISIONS.

A power to make regulations of this effect is uncommon in this country; for in permitting a departure from the policy expressed in the act, it plainly delegates a discretion which the legislature itself has indicated to be legislative in character.

Such a power is however found in the Parcels Post Act of 1912, 8, which authorizes the Postmaster-General, subject to the consent of the Interstate Commerce Commission upon investigation, to reform from time to time, the classification, weight limit, rates, zone or zones, or conditions, or either (specified in the act), in order to promote the service to the public or to insure the receipt of revenue from such service adequate to pay the cost thereof.

It will be noted that this power concerns only a branch of the public service, and not common civil rights.

A very recent act of Congress to fix the standard barrel for fruits, vegetables and other dry commodities (enacted March 4, 1915) provides that reasonable variations shall be permitted and tolerance shall be established by rules and regulations made by the Director of the Bureau of Standards and approved by the Secretary of Commerce.

This appears to be an unusual power, and to be framed with objectionable looseness.

In European Workmen's Accident Insurance Laws of European countries, the list of trades to be included is sometimes left to be determined or to be added to by executive proclamation; in Australia the addition may be made pursuant to addresses from both Houses of Parliament.

Powers to extend the scope of the law are found in the (Br.) Factory Act of 1901, Par. 116 (5), and in the (Br.) National Insurance Act, 1911, Par. 103, as follows:

"Par. 116. The Secretary of State, on being satisfied by the report of an inspector that the provisions of this section are applicable to any class of non-textile factories or to any class of workshops, may, if he thinks fit, by special order, apply the provisions of this section to any such class, subject to such modifications as may, in his opinion, be necessary for adapting those provisions to the circumstances of the case. He may also, by any such order, apply those provisions, subject to such modifications as may, in his opinion, be necessary for adapting them to the

circumstances of the case, to any class of persons of whom lists may be required to be kept under the provisions of this act relating to outworkers and to the employers of those persons."

National Insurance Act, 1911, Par. 103:

"If it appears to the board that it is desirable to extend the provisions of this part of this act to workmen in any trade other than an insured trade, or to vary the definition therein, either generally or for any particular insured trade, or any particular branch of any such trade, the board may, with the consent of the Treasury, make, in manner hereinafter provided, a special order extending this part of this act to such workmen or so varying the definition of 'workmen,' as the case may be, either without modification or subject to such modifications of rates of contribution or rates or periods of benefit as may be contained in the order, and, on any such order being made, this part of this act shall, subject to the modifications (if any) contained in the order, apply as if the trade mentioned in the order were an insured trade, or as if the definition of 'workmen' were varied in accordance with the order, as the case may be, and as if the rates of contribution and the rates and periods of benefit provided by this part of this act in respect of such trade:

Provided, That no such order shall be made if the person holding the inquiry in relation to the order reports that the order should not be made, or if the order would, in the opinion of the Treasury, increase the contribution to the unemployment fund out of moneys provided by Parliament to a sum exceeding one million pounds a year before the expiration of three years from the making of the order, and that the rates of contribution mentioned in the order shall not exceed the rates specified in the eighth schedule of this act, and shall be imposed equally as between employers and workmen."

A limited and temporary power to vary provisions of the law, in order to eliminate unforeseen difficulties, is found in the (Br.) National Insurance Act, 1911, Par. 78:

"If any difficulty arises with respect to the constitution of insurance committees, or the advisory committee, or otherwise in bringing into operation this part of this act, the insurance commissioners, with the consent of the Treasury, may by orders make any appointment and do anything which appears to them necessary or expedient for the establishment of such committees or for bringing this part of this act into operation, and any such order may modify the provisions of this act so far as may appear necessary or expedient for carrying the order into effect; *provided*, that the insurance commissioner shall not exercise the powers conferred by this section after the first day of January, nineteen hundred and fourteen."

12. ACT WHETHER EFFECTIVE WITHOUT THE AID OF THE
ADMINISTRATIVE REGULATION.

It has been held in a number of cases that where a duty is imposed subject to an administrative direction or regulation, the duty is not conditioned upon administrative action, but the act either merely gives a right to direct, or makes it the duty of the person charged to obtain the direction (111 U. S. 228, 240, 241; 78 N. Y. 310; 49 Ohio St. 213; 192 Ill. 601).

Under such a ruling there is no need of special provision to enforce the issue of the regulation in order that the statute may become operative.

If, on the other hand, a right is conferred subject to an administrative regulation, the right is generally dependent upon the issue of the regulation (173 U. S. 65).

Where the statute is inoperative without the administrative regulation, it is in some cases possible to frame provisions in such a manner that the rule-making authority will be practically compelled to issue the regulation; so, *e. g.*, in the Civil Service Act, which forbids after a period of time any appointments to be made except in pursuance of the regulations to be issued.

There is no general method of handling this difficulty, but the draftsman, bearing the point in mind, will deal with it according to circumstances.

Where the operation of the act depends upon the issue of a regulation, the character of the regulation will determine the operation of the act, though the regulation fall short of the requirements of the act. Thus the Oregon Minimum Wage Law of 1913 sets a minimum wage standard (adequate to maintain the worker in health); yet no wage can be fixed that has not been determined upon by a two-thirds vote of a wage conference, and if the rate recommended falls below the standard, there is no statutory power to raise it. This is a case of disharmony between two provisions of a statute, with the result that the more specific provision will prevail.

III. STATUTORY PROVISIONS IN CONNECTION WITH THE GRANT OF RULE MAKING POWERS.

1. THE STATUTE SHOULD AS FAR AS PRACTICABLE INDICATE THE PRINCIPLES WHICH ARE TO BE OBSERVED IN FRAMING RULES AND REGULATIONS.

This may be done either by incorporating these principles into the statute as substantive provisions to which the rule-making power is necessarily subordinate, or by prescribing that the regulations must incorporate the principles.

The difference is one of form merely, for in either case the regulation which fails to conform to the prescribed principle will be invalid. In either of the two forms the statute may, however, indicate that the observance of the principles is merely a direction, and that the validity of the regulation is not to be affected by non-conformity to it; but such legislative purpose should be made clear by appropriate words ("as far as practicable," etc.).

The Civil Service Act of the United States illustrates the incorporation of guiding principles in both forms, as shown above.

The substance of the guiding principles varies with the subject matter of legislation.

The German Trade Code prescribes such principles only for special orders relating to arrangements required to be made in work places for the benefit of workers; a proper time for compliance must be given if the danger is not urgent, and as to existing establishments only such arrangements may be required as will either remove material defects threatening life, health or morals, or such as can be made without disproportionate expense (Trade Code, 120).

2. PROVISIONS FOR PROCEDURE TO BE FOLLOWED IN ADOPTING REGULATIONS.

Such provisions are unusual in American legislation, and are not called for unless the regulation affects private rights.

The Wisconsin Industrial Commission Law allows (2394-57) a petition for a hearing on the reasonableness of an order, after the same has been promulgated, and the hearing need not be granted if the issues raised by the petition have theretofore been adequately considered. This is obviously not as beneficial to the parties affected as a preliminary hearing would be.

A full provision for notice and hearing in connection with general regulations is found in the Bristol Factory Act of 1901, which appears to have become a sort of a model in England, being incorporated by reference in the National Insurance Act of 1911 (Par. 113).

The principal points relate to notice and deposit of draft regulation, opportunity for objection, possible substitution of amended draft, reference for public inquiry, right to be heard, right to administer oaths, power to make rules for the inquiry and all preliminary and incidental matters. .

The provisions in full are as follows:

"Factory and Workshop Act, 1901, Par. 80.—(1) Before the Secretary of State makes any regulations under this act, he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the regulations and of the place where copies of the draft regulations may be obtained and of the time (which shall be not less than 21 days) within which any objection made with respect to the draft regulations by or on behalf of persons affected must be sent to the Secretary of State.

"2. Every objection must be in writing and state

"(a) The draft regulations or portions of draft regulations objected to;

"(b) The specific grounds of objection; and

"(c) The omissions, additions or modifications asked for.

"3. The Secretary of State shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft regulation, and shall then cause the amended draft to be dealt with in like manner as an original draft.

"4. Where the Secretary of State does not amend or withdraw any draft regulations to which any objection has been made, then (unless the objection is either withdrawn or appears to him to be frivolous) he shall, before making the regulations, direct an inquiry to be held in the manner hereinafter provided."

"Par. 81. 1. The Secretary of State may appoint a competent person to hold an inquiry with regard to any draft regulation, and to report to him thereon.

"2. The inquiry shall be held in public, and the chief inspector and any objector and any person who, in the opinion of the person holding the inquiry, is affected by the draft regulations, may appear at the inquiry either in person or by counsel, solicitor or agent.

"3. The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

"4. Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Secretary of State.

"5. The fee to be paid to the person holding the inquiry shall be such as the Secretary of State may direct and shall be deemed to be part of the expenses of the Secretary of State in the execution of this act."

For a briefer form where the consent of the majority of the parties affected is required, see Shop Hours Act, 1904 (Br.), Par. 3 (1):

"Whenever a local authority are satisfied that a *prima facie* case is made out for making a closing order, the authority shall give public notice, in the prescribed manner and in the prescribed form (*i. e.*, prescribed by regulation made by the central authority (section 7 of act)), of their intention to make an order, specifying therein a period (not being less than the prescribed period) within which objections may be made to the making of the proposed order and if, after taking into consideration any objections they may have received, the local authority are satisfied that it is expedient to make the order and that the occupiers of at least two-thirds of the shops in number to be affected by the order approve the order, they may make the order."

The Scotch Public Health Act, 1897, 185, requires that by-laws shall, before application for confirmation by the Local Government Board, be kept for one month at least for inspection, that persons aggrieved may forward objections to the board who shall consider the same, and that any rate payer may for a specified fee obtain a copy of the proposed by-laws.

This, it will be noted, omits any provision for a public inquiry. The British practice of legislation is, in the case of regulations or by-laws issued by a local authority, to require confirmation by some central government board or secretary of state. This is not the American practice.

On the other hand, we find in America the right to appeal to a court to set aside an administrative regulation. While in case of a statute such an appeal would involve an unconstitutional exercise of power on the part of the court (*Muskraat vs. U. S.* 219; *U. S.* 346), the practice of reviewing municipal ordinances on *certiorari* is well established in New Jersey, and it is difficult to see why the acknowledged supervisory power of courts over inferior jurisdictions (*Yick W. O. vs. U. S.* 118; *U. S.* 356) should not be exercised over administrative regulations on the ground

that they are unreasonable and therefore illegal. The court would not review the question of expediency.

The following is the provision of the Wisconsin Industrial Commission Law (2394-68) permitting an appeal from a commission order to a court:

"2394-68. 1. Any employer, owner or other person in interest being dissatisfied with any order of the commission may commence an action in the circuit court for Dane County against the commission as defendant to vacate and set aside any such order on the ground that the order is unlawful, or that any such order is unreasonable, in which action the complaint shall be served with the summons.

"2. The answer of the commission to the complaint shall be served and filed within 10 days after service of the complaint, whereupon said action shall be at issue and stand ready for trial upon 10 days' notice to either party.

"3. All such actions shall have precedence over any civil cause of a different nature pending in such court, and the circuit court shall always be deemed open for the trial thereof, and the same shall be tried and determined as other civil actions.

"4. No injunction shall issue suspending or staying any order of the commission, except upon application to the circuit court or the presiding judge thereof, notice to the commission, and hearing."

A peculiar method of securing judicial reviewability is to make the regulation only presumptive evidence of its being the correct expression of the statutory principle. See volume on "Commission Laws," published by the American Telegraph and Telephone Company, 1914, pp. 567-573. Also English Sale of Food Act, 1899, 4, empowering the Board of Agriculture to make regulations for determining what deficiencies or additions shall raise a presumption until the contrary is proved that the milk (etc.) is not genuine or is injurious to health.

The provision for procedural safeguards in connection with the adoption of administrative regulations ensures the development and observance of definite principles in the exercise of the rule-making power and thereby tends to remove the constitutional objection that the legislature has delegated the fulness of its own discretion.

Apart from this it is desirable that in the enactment of regulations there should be something corresponding to the practices and requirements which constitutional experience has developed in connection with the enactment of statutes.

The quasi-judicial character of the administrative regulation may be further emphasized by making it a jurisdictional prerequisite that there shall be some condition requiring relief. This indicates that the power exercised is corrective rather than normative, and the primary control remains free from official dictation, whereas it is competent for the sovereign legislative power to establish advanced standards as well as to correct shortcomings.

The power of the Interstate Commerce Commission to fix rates is clearly corrective in this sense, for it is exercised only upon a complaint and a showing of unreasonable or discriminatory rates; the same is true of the power of minimum wage commissions. The legislative imposition of a two-cent passenger fare, or of an eight-hour day marks the contrast. In the former cases the primary right of regulation remains with the private owner. The power of regulation under the Factory Law of 1901 stands midway; it can be exercised only where danger to health, life or limb exists and is certified by the Secretary of State (79 of act), but such danger does not necessarily indicate a species of wrongdoing on the part of the person carrying on the business.

The corrective character of the regulation implies the existence of some antecedent standard below which some existing practice falls; and provisions for hearing or appeal will inevitably lead in course of time to some authoritative formulation and definition of that standard as a basis for and distinct from the terms of the remedial regulation. Such statutory terms as "reasonable," "just," "safe," "sanitary," etc., will thus be given a more definite content than they could have possibly had in the minds of the legislature.

The corrective character of the regulation may be emphasized by a statutory requirement of a complaint as a basis for the administrative action. However, as in the British Factory Act, the finding of the defective condition may be on the initiative of the administrative authority himself; and the appointment of special agents, inspectors, etc., usually serves the purpose of making administrative action independent of private complaints. In labor legislation, the requirement of a formal complaint by a party aggrieved would tend to nullify the statute since it will be difficult to induce dependent employees to come forward with charges.

3. THE RULE-MAKING POWER SHOULD BE CONFERRED AS A CONTINUING POWER.

This is sufficiently indicated by such terms as "from time to time make, alter and repeal." However, a simple power to make regulations will be construed as a continuing power (*U. S. vs. Eliason*, 16 Pet. 291, 302: "The power to establish implies, necessarily, the power to modify or repeal, or to create anew").

In the absence of a distinct provision, any change would seem to require the same procedural safeguards as the original enactment. The statutes are generally silent upon this point. It may deserve consideration whether the statute may not in the interest of flexibility authorize some relaxation. The Interstate Commerce Act, Par. 16, says: "The Commission shall be authorized to suspend or modify its orders upon such notice and in such manner as it shall deem proper." Such power should, however, be granted only in exceptional cases.

4. IN APPROPRIATE CASES THERE SHOULD BE EXPRESS AUTHORITY TO ADOPT DIFFERENT REGULATIONS FOR DIFFERENT CONDITIONS.

This is done with regard to by-laws by the Scotch Public Health Act, 1897, Par. 181: "In making by-laws as to buildings, the local authority shall have regard to the special circumstances of their district *or the part thereof to which such by-laws relate.*"

The British Factory Act, 1901, Par. 82, authorizes regulations to be made to apply to all the factories or workshops certified to be dangerous or to any specified class thereof.

In some cases, on the other hand, it may be proper to indicate clearly that the terms to be laid down by regulations shall be equal under equal conditions, so particularly where public facilities are to be placed at the service of private persons under rules and regulations to be made by the appropriate authorities.

Powers of regulation are quite commonly conferred in the ambiguous form that the rule shall or may be made to apply to "any" specified condition, establishment, etc. This leaves it doubtful whether the power was intended to be exercised with reference to any one particular concern or only with reference to classes of business. A power of individual discrimination is a

very much more incisive power than one exercisable only with regard to a class. This point should not be left in doubt, and the power should clearly be made one of general or class regulation.

5. THE STATUTE SHOULD REQUIRE THE REGULATION TO
INDICATE UNDER THE AUTHORITY OF WHAT
STATUTE IT IS ISSUED.

The practice is voluntarily observed by some branches of the federal government (*e. g.*, Board of General Appraisers), but not by others (*e. g.*, Income Tax Regulations).

6. THE STATUTE SHOULD CONTAIN SOME PROVISION REGARDING
THE TIME WHEN A REGULATION IS TO TAKE EFFECT.

The provision may fix a normal period to elapse between promulgation of the regulation and its taking effect, which may be varied by the terms of the regulation itself.

In view of the decision in *Lapeyre vs. U. S.* 17 Wall. 191, it may be proper to provide that the regulation shall in no event take place until its promulgation, if it affects any private rights. Factory Act, 1901, 126: "Shall come into operation at the date of its publication or at any later date mentioned in the order."

The Interstate Commerce Act, 15, provides that all orders of the Commission, except orders for the payment of money, shall take effect within such reasonable time, not less than 30 days, as shall be prescribed in the order of the Commission.

If it is deemed desirable to provide for immediately effective emergency regulations, a model may be found in the Rules Publication Act, 1893 (Br.), Par. 2: "Where a rule-making authority certifies that on account of urgency or any special reason any rule should come into immediate operation, it shall be lawful for such authority to make any such rules to come into operation forthwith, as provisional rules, but such provisional rules shall only continue in force until rules have been made in accordance with the foregoing provisions of this act."

7. PERIOD DURING WHICH REGULATION IS TO REMAIN IN EFFECT.

The Interstate Commerce Act, Par. 15, also provides that commission orders shall continue in force for such period of time, not exceeding two years, as shall be prescribed in the order of the Commission.

Such a provision is unusual.

However, according to its very nature and the purpose of delegation, an administrative regulation is presumably not intended to be as permanent as a statute. For a considerable period it was the practice of English legislation to make even statutes on their first enactment temporary, and to make them permanent only after they had been approved by experience.

A similar practice was followed in New York in the early part of the Nineteenth Century with regard to municipal ordinances, which were to be operative for only one year.

Considerable inconvenience may result from the limited duration of a regulation unless care is taken that in due time the regulation is renewed, and in any event there should be a simplified procedure for renewal as compared with the original adoption.

The less permanent character of regulations might be recognized by providing that at stated intervals (5 or 10 years) they shall be republished and revised, and that upon such revision disused regulations shall be dropped.

8. PROMULGATION AND PUBLICATION:

A direction for publication is desirable, and should be made essential where a penalty is attached to the violation of the regulation; see, *e. g.*, U. S. Quarantine Law, February 15, 1893, 3.

The mode of publication may be left to the discretion of the rule-making authority.

Thus Factory Act, 1901 (Br.), Par. 126: The order shall be published in such manner as the Secretary of State thinks best adapted for the information of all persons concerned.

Such a provision, which is made mandatory by the further provision that the regulation shall not be operative before publication, may be preferable to prescribing the mode of publication in the statute itself.

Further provision (not affecting the validity of the regulation) should be made for the printing and distribution of regulations in convenient form (see Scotch Public Health Act, 186).

9. PROVISION FOR PROVING REGULATION IN COURT.

It is uncommon to provide that regulations shall be judicially noticed; such a provision is, however, found in the Factory Act, 901 (Br.), 86 (6).

When the regulation has been printed, the following provision will facilitate its proof:

“When printed in book or pamphlet form, and purporting to be published by authority of, such book or pamphlet shall, unless the contrary be shown, be received as evidence of the promulgation and publication of the regulation, as of the dates mentioned in such book or pamphlet.” (Chicago Charter Act, 1907, 4-28.)

If the regulation has not been printed, the following provision will facilitate proof:

“A copy of the regulation purporting to be signed by the clerk of and to be sealed by the seal of shall, unless the contrary be shown, be received as evidence of the making and the publication thereof, as of the dates mentioned therein, without proof of the official character or signature of the person signing the same.”

10. PENALTIES.

A general clause imposing penalties for the violation of a statutes does not cover violations of an administrative regulation made thereunder (U. S. *vs.* Eaton, 144 U. S. 677) unless the statute provides—a provision neither common nor desirable—that regulations made thereunder shall in every respect have the same effect as the law itself. Nor, it seems, is the violation of an administrative regulation punishable at common law; 70 N. Y. 530. As to orders of justices of peace, see R. *vs.* Robinson, 2 Burr. 739, 805; of an order of the King in Council, R. *vs.* Harris. 2 Leach 549, 4 T. R. 202. There should therefore be a penalty for acts done in contravention of a regulation or for failure to comply with it. To allow the rule-making authority to prescribe penalties, is a common practice in the case of municipal ordinances, but not in the case of administrative regulations.

There is no general provision in any American penal code (as there is in the French Penal Code §471, No. 5) making disobedience to any administrative rule or regulation whatever, lawfully made, a misdemeanor.

There is no objection to the statutory imposition of a penalty for the violation of an administrative regulation on the supposed ground that the legislature affixes a penalty to an unspecified act (130 Iowa 333).

If an administrative regulation is given the effect of a statute, the consequence will be that the civil effects of non-compliance with a statute will obtain (liability for injury resulting from non-compliance, nullity of contracts made in disregard of the regulation, etc.). Considering that administrative regulations do not as certainly incorporate ruling standards of public policy as statutes do, such a consequence may work hardships and go beyond the presumable legislative intent.

It may be desirable to provide that no penalty (or liability) shall be incurred by reason of any act or omission which is in accordance with any regulation issued by the rule-making authority, although such regulation may, subsequent to the act or omission, be declared invalid. See, *e. g.*, National Insurance Act, 1911 (Br.), §692, adding to a penalty provision: "Provided that no person shall be liable to any penalty in respect of any matter if he has acted in conformity with any decision in respect thereto by the insurance commissioners," etc.

APPENDIX B.

TENTATIVE TEXT OF MANUAL FOR LEGISLATIVE DRAFTING.

TOPIC 38. PENALTIES.

1. INTRODUCTION.

Recent legislation in this country discloses a commendable tendency to provide for its enforcement through administrative education of and co-operation with the persons affected instead of relying upon the fear of prosecution for its violation as the sole stimulus to compliance.

In some instances discretionary power to extend the time for compliance with a statutory requirement has been conferred upon an administrative board or commission. Such a provision gives greater opportunity for the use of co-operative methods of enforcement and if not abused tends to mitigate the hardship frequently involved in strict compliance with the letter of regulatory legislation. For an example, see the Federal Car Coupling Act (United States Stats. L, Vol. 36, 238).

The fact remains, nevertheless, that it is the potential power of the penalty or other means of compelling compliance or punishing violation that invests with authority those upon whom is imposed the duty of enforcement, and insures respectful attention and obedience to their orders and suggestions. The importance of the penalty cannot be measured by the frequency with which it is imposed. Indeed, the necessity for its use as a means of enforcement tends to vary almost in inverse ratio to its effectiveness.

The term "penalty" is used throughout this topic in its broader sense of punishment of any sort, from forfeiture of money to imprisonment or death; but the scope of the topic is limited to the consideration of drafting problems. The comparative desirability of various ways and means of securing the most effectual enforcement of statutes, including such modified forms of penalties as condemnation, abatement, avoidance of contracts, or forfeiture of licenses and charters, are discussed only incidentally.

The obvious importance of the penalty suggests the need for careful phraseology of its provisions, but the difficulties of the drafter of such provisions are greatly increased by the fact that his work must stand not only the tests applied to all statutes, but also the much more rigorous scrutiny under the rule of strict construction which the courts apply to penal statutes.

2. AMOUNT OF PENALTY.

A full discussion of the considerations which go to determine the amount or size of a particular penalty is beyond the scope of this report. There is, however, a broad principle which determines the limits within which should fall the amount of the

penalty for the violation of any legislative mandate. The maximum should exceed by a sufficient margin any possible advantage which might accrue to the offender from a violation of the law, and should not be so low as to permit its being looked upon as a mere license or price for the privilege of violation. On the other hand, the minimum, if any, should not be so high as to be under any circumstances incommensurate with the gravity of the offense, thus offering a strong inducement to a court or jury to seize upon a possibly insufficient justification for finding in favor of a defendant.

In some foreign countries the minimum penalties provided for minor offenses and violations of police regulations are smaller in amount than is common in this country. Under the Belgian Penal Code the fine for a simple infraction is from 1 to 25 francs and for a crime or misdemeanor is from a minimum of 26 francs. Under the draft of the Japanese Revised Penal Code the penalty is 1 yen (\$1) and upwards, and the police fine is from 10 sen (1 sen equal $\frac{1}{100}$ of a cent) to 30 yen inclusive.

If the amount of the penalty is or may, through increase or accumulation, become very large, the constitutional guarantee of due process of law must be kept in mind. The Supreme Court of the United States has held that there is an unconstitutional denial of due process if the right to an adequate judicial review can be exercised only at the risk of having to pay penalties so great that it is better to yield to orders or requirements of uncertain validity than to ask the protection of the law. (*Ex parte Young*, 209 U. S. 123; *Wadley Southern Railroad vs. Georgia*, 235 U. S. 651.)

An unusual method of fixing the amount of a criminal penalty and one which might prove practical in many cases is suggested in Chapter 114 of the Mississippi Laws of 1914 which provides that the exercise of any privilege taxed by the state, without paying a required tax, shall be punished by a fine of not less than twice nor more than five times the amount of the tax.

3. FIXED OR FLEXIBLE PENALTY.

The advantages of a flexible over a fixed penalty are obvious. The legislator can take into consideration only abstract culpability, and only a person familiar with the circumstances of each

particular case is in a position to know the possible modifying or extenuating circumstances of that case and to make the most advantageous use of such knowledge in effecting the ultimate purposes of the law. In the Holland Code of 1881 the penalty is fixed only as to its maximum, and in France there are few provisions fixing a minimum penalty.

The very advantage of the flexible penalty, viz., variation of its amount under circumstances of varying culpability, necessitates, however, a determination by some one as to its amount in each case. In the case of the criminal penalty the drafter will find no need to provide for such a determination because criminal procedure is well adapted to the administration of flexible penalties, and it is within the well-recognized powers of the judge to fix the amount of such a penalty.

Civil procedure, however, affords no adequate means for the determination of the exact amount of the penalty in a given case although statutes are not infrequently enacted which provide for a civil penalty, flexible in amount (*e. g.*, General Statutes of Kansas, 1889, Par. 1343; New York Agricultural Law, Sec. 52, Laws of 1901, Ch. 656; Wisconsin Laws, 1911, Ch. 485, Sec. 2394-70). In Wisconsin a civil suit is brought for the maximum amount and on trial the court determines in its discretion the amount to be recovered. Usually, however, civil courts possess no such inherent power. In a case arising under the New York statute above cited, which provides a forfeiture of not less than twenty-five dollars, nor more than one hundred dollars, for its violation, the court overruled the claim that the section only authorized a criminal procedure (which was evidently based on the provision for a flexible penalty), and held that the fact that no provision is made as to who shall determine the amount of the sum to be forfeited, "would seem in no way to preclude the recovery of the smaller sum mentioned in the statute." (*People vs. Bremer*, 69 N. Y. App. Div. 14.)

If a flexible civil penalty is found advisable, the means for the determination of its amount must be thoroughly considered. The most obvious alternatives are either to leave to the prosecuting attorney or other officer charged with its administration the determination of the amount by bringing an action for an amount within the maximum and minimum limits fixed by the statute,

or to expressly confer upon the court having jurisdiction of the action the power to determine the amount in much the same manner as a criminal court imposes a sentence. Neither of these alternatives, however, is entirely satisfactory. The New York case above cited suggests the possibility that a court might not sustain such an action for more than the minimum amount, and an even more serious objection to the first alternative is that one of the principal advantages of a flexible penalty—that of its ready adaptability to the varying circumstances of each case, the most effective exercise of which calls for complete impartiality—may be defeated if the determination of the amount is left to the prosecutor. On the other hand, to confer upon a civil court the power to determine the amount may involve a radical change in our jurisprudence which deserves serious consideration. It is possible that a precedent for such a provision is found in New Jersey, Compiled Statutes, 1910, title "Health," Section 51, but the provisions of section 40 of the same title, relating to the form of prosecution for the recovery of the penalty, do not indicate with absolute certainty whether the action is a civil or a criminal one.

Where an offense is of a kind that may be committed by either a person or a corporation and the punishment includes imprisonment, the amount of the fine should be made sufficiently flexible to permit the court to impose upon a corporate offender a fine commensurate with the imprisonment to which an individual may be sentenced. It is hardly necessary, however, to add such a proviso as is found in section 10 of the Act to Regulate Commerce "that the penalty of imprisonment shall not apply to artificial persons."

4. INCREASED PENALTY FOR SECOND AND SUBSEQUENT OFFENSES.

The principle of increasing the penalty for violations repeated after a penalty has once been incurred is well established. Its justification is found in the evident insufficiency of their warning already given; the contempt of the offender in persisting in violation shows the need of greater severity. Many problems are involved, however, in providing an effective system of increasing penalties for successive violations.

What constitutes a "second" or "subsequent" offense? Is it a second "violation" or a second "conviction"? It has been held that the manifest purpose of such provisions is to increase the penalty for offenses because of persistence in violating the law and that the term "second offense" must mean "second conviction" (*Carey vs. State*, 70 Ohio St. 121). The term "offense" has been so generally used and interpreted in this sense of "conviction" that it has probably acquired that technical meaning for the purpose of such provisions; but the careful drafter will leave no room for doubt as to the nature of the previous violation which is to justify a future increase in the penalty. In addition to the possibility of doubt as to whether offense means conviction, distinctions might also be drawn and are in fact drawn in some European countries between a conviction, followed by sentence and execution of the sentence, and a conviction without sentence or a conviction and sentence without execution.

When a penalty provision is applicable only to a single kind of action care in the description of what constitutes a "first offense" will suffice; but where the penalty provision applies to acts of different kinds, as, for example, a general penalty for violation of any provision of a code or general law, the question arises whether conviction for violation of one provision makes a subsequent conviction for violation of another provision a "second offense." Thus, under a penalty provision in the New York Penal Law for the punishment of violations of any provision of specified articles of the Labor Law, it was on an indictment for a third offense held sufficient to show that the defendant had been previously convicted of violations of other provisions of the same *article* and that it was not necessary to show that the previous convictions were for the identical offense (*People vs. Butler*, 154 N. Y. App. Div.). In some European countries where crimes are divided into three classes, instead of into two as in our own, it is provided that only a crime following an equally or more serious crime shall entail an increase of penalty. In other foreign countries an increased penalty is applied only where the offenses are identical and not where they are merely in the same or specified classes. Recent foreign codes also show a tendency to impose the increased penalty only when the subsequent offense occurs within a stated period of five or ten years following the prior offense.

It is only necessary to state these possibilities to emphasize the necessity for an exact statement of legislative intent. The draftsman should not fail to obtain specific instructions on these points and to take care that he gives accurate expression thereto, which he may do in some such form as is suggested in the following illustrative provisions and in those found at the end of this report. "A conviction shall be deemed a conviction for a subsequent offense if prior to the violation constituting the offense the same person has been convicted for a violation of any provisions of this act" or "a conviction shall be deemed a conviction for a subsequent offense only if prior to the violation constituting the offense the same person has been convicted for a violation of the same provision of this act."

The advisability of making the penalties for first, second and subsequent offenses overlap each other, presents an important consideration, especially where there is one penalty provision for the punishment of a number of different forms of violation. When a penalty applies to numerous violations of different sorts and of varying degrees of seriousness, it frequently happens that a first offense of one sort may prove much more culpable than a second offense of another sort and there is no reason in so limiting the discretion of the judge as to prevent his taking such matters into consideration. Thus, a first offense might be punished by a fine of not less than \$20, nor more than \$100, and a second offense by a fine of not less than \$50 nor more than \$200, or either the maximum or minimum limit in each case might be omitted if deemed advisable.

Where the penalty is made to vary for several classes of successive offenses as first, second, third, etc., care must be taken to avoid such description of the last class as might leave subsequent offenses unpunished; *e. g.*, section 1275 of the New York Penal Law, providing penalties for violation of the labor law after specifying a penalty for first and second offenses, proceeds—"for a third offense, by a fine of not less than \$250 or by imprisonment, etc.," without indicating any punishment for a fourth or subsequent violation. There should be inserted in the description of the class subject to the maximum penalty, some such word as "subsequent" or "succeeding"; *e. g.*, in the statute just quoted, the language should have been "a third or subsequent offense."

5. CUMULATIVE PENALTIES.

In addition to, or as a substitute for, increased penalties for subsequent violations after a penalty has been imposed for a first violation, the legislature may want to impose a cumulative penalty for several distinct violations or for a continuing violation arising from a course of action or from a condition maintained in defiance of the statute. The term "cumulative penalty" is here used to indicate a multiple or aggregate penalty computed by multiplying the penalty prescribed for one offense by the number of separate offenses.

The "cumulative penalty" involves two principal problems: (1) whether the alleged offense constitutes one or several violations of the statute, *i. e.* whether the offense described by the statute is, in the language of the courts, continuing or separate, and (2) whether, admitting that there have been several distinct violations, there can be a recovery of but one penalty or of that penalty cumulated by multiplying it by the number of distinct offenses.

Whether the offense is continuing or separate, and hence whether one or several penalties have been incurred prior to a given time, depends entirely upon the language of the statute. The legislature has the power to specify definitely what constitutes a violation of the provisions of a statute, and it may provide that each such violation shall incur a separate penalty and that such penalty shall be cumulative. Though possessing this power the legislature frequently fails to indicate precisely what constitutes a violation or when an offense is completed for the purpose of incurring the penalty, and this failure gives rise to difficult questions of interpretation as indicated in the following cases:

A statute provided that no person shall do or exercise any worldly labor, business or work on the Lord's day, and imposed a penalty of five shillings for each offense. On appeal by a baker convicted by four separate convictions for selling four loaves of bread on the same day, Lord Mansfield held that the latter three convictions were invalid, that the offender was exercising his ordinary trade, that it was but one entire offense even though he continued baking from morning till night, and that repeated offenses were not the object which the legislature had in view, but solely the punishment of a man exercising his ordinary trade on Sunday. (*Crepps vs. Durden*, 2 Cowper 640.)

A statute prohibited cohabitation by any male person with more than one woman. Defendant was convicted on three indictments charging unlawful cohabitation during each of three separate years. Held that cohabitation contrary to the statute was a single continuous offense and not an offense consisting of isolated acts, and that in the absence of express provision in the statute the offense could not be so divided as to support separate indictments for each year. The court said that such an offense "can be committed but once for the purpose of indictment or prosecution prior to the time the prosecution is instituted." (*In re Snow* 120 U. S. 274.)

A statute provided that any person who, in pursuance of a scheme to defraud, places any letter in any post office, shall be punishable by fine or imprisonment for each offense. Held that the act forbids not the general use of the post office for the purpose of carrying out a fraudulent scheme, but the putting a letter in the post office in furtherance of such scheme. Therefore, each letter so deposited constituted a separate and distinct violation of the act. (*In re Henry*, 123 U. S. 372.)

A statute forbade confinement of cattle during transportation for a period longer than 36 hours without unloading them for rest, water and feeding; and provided that "for every such failure" the transporting company should be liable to a civil penalty. Held that penalties for violation of this act should not be measured by the number of cattle or of cars, but that a separate offense was committed as to each lot of cattle shipped simultaneously when the maximum period expired as to each such lot regardless of the number of shippers, trains or cars. (*B. & O. R. R. vs. U. S.*, 220 U. S. 94.)

An act made a carrier who permits "any employee" to remain on duty for a longer consecutive time than that specified, liable for a penalty "for each and every violation." Held that the wrongful act was keeping an employee at work overtime, that that act was distinct as to each employee so kept, and that a separate penalty was recoverable in the case of each of several employees kept beyond the proper time by the same delay of a train. (*M. K. & T. R. R. vs. U. S.*, 231 U. S. 112.)

A statute made it a misdemeanor to receive any rebate in respect to the transportation of any property in interstate com-

merce. Defendant was convicted upon 1462 counts of an indictment, each charging it with receiving a concession on the transportation of a carload lot. Many carloads constituted only a part of a single shipment, and some single orders filled six or eight cars. The Circuit Court of Appeals reversed the judgment and held that the gist of the offense is the acceptance of the concession irrespective of whether the property involved was carloads, trainloads or pounds, that the offense was not consummated until the transaction was completed and that the offense of accepting the concession is the transaction that the given rebate consummates—not the units of mere measurement of the physical thing transported—but the transaction whereby the shipper, for the thing shipped, no matter how great or how little its quantity, received a rate different from the usual rate. (*Standard Oil Company vs. U. S.*, 164 Fed. 376.)

A statute imposed a penalty for "any refusal" by an officer of a corporation to exhibit the stock book to a stockholder. Held that although the plaintiff had been forced to repeat his request for two or three consecutive days, there had been but one demand and one refusal, and that but one penalty could be recovered. (*Cox vs. Paul*, 175 N. Y. 328.)

A statute imposed a penalty on a railroad company for compelling colored persons to ride in a particular car. Held that the exclusion from a car of the plaintiff and his wife at the same time was a single act and that a separate penalty could not be recovered by each. (*Central R. R. vs. Green*, 86 Pa. 427.)

A statute provided that no person shall sell or offer for sale or have in his possession with intent to sell, any oleomargarine. A judgment for two violations based on a sale and a subsequent exposure for sale on the same day was reversed on the ground that it is not the policy of the law to multiply penalties, and the defendant should not be punished both for exposing for sale and selling on the same day when as here there appears to be a single transaction even though each act in itself would have been a complete offense and an exposure or selling on a separate day would have constituted another and complete offense. (*Commonwealth vs. Sherly*, 152 Pa. 170.)

A penalty was imposed "for every such offense" and the offense was described in the antecedent words of the section thus

"shall collect or demand any greater rate or prices for passing over said bridge than what is prescribed in the list of tolls put up at the gate." Held that it was the act of collecting unlawful toll which constituted the offense, so that although there were a number of passengers in a vehicle, the collection of the unlawful toll for all of them was a single act and constituted but one offense. (*Porter vs. Dawson Bridge Co.*, 157 Pa. 367.)

An act imposed a penalty on any life insurance company "which shall transact its business in this state in violation of the provisions of this act." Held that the transaction of business was one continuing offense and that the statute did not authorize a penalty for every act which evidenced that the business was being conducted in violation of law. (*People vs. Life Endowment Co.*, 143 Ill. App. 517.)

An act required every railroad company to place in each station a blackboard upon which it should cause to be written the fact whether each passenger train was on time or not, and provided a penalty "for each violation." An action was brought to recover 1434 penalties for failure to schedule that number of trains. Held that only a single penalty could be recovered. (*State vs. C. C. C. and St. L. R. R.*, 8 O. C. C. R. 604.)

The preceding cases selected from various jurisdictions illustrate the importance and the difficulty of specifying precisely what constitutes a violation for which a cumulative penalty is to be imposed. That the drafter must also take into consideration the attitude of the courts toward such penalties is emphatically illustrated by the New York cases which indicate an extreme of judicial unwillingness to give effect to cumulative penalty provisions. The New York courts have held that cumulative penalties will not be imposed unless the legislature states in so many words its intention to impose such penalties; the provision that a particular penalty shall be imposed for "every violation" or "for any refusal" has been held insufficient to support a judgment for a cumulative penalty. If the drafter of a provision intended to impose a cumulative penalty will take care to satisfy the requirements of the New York court, his provision will probably prove effective in any jurisdiction.

In one of the leading New York cases the statute provided "every such corporation shall upon demand and without extra

charge give to each person paying one single fare a transfer . . . for every refusal to comply with the requirements of this section, the corporation so refusing shall forfeit \$50 to the aggrieved party." On each of four separate occasions the plaintiff paid a single fare, demanded a transfer and was refused. He recovered a judgment for \$200 which the Court of Appeals reduced to \$50. After citing earlier New York cases where cumulative penalties had been allowed under statutes containing the words "for every neglect" in one case and "for each offense" in another case, the opinion continues: "It is quite obvious that the legislative intention to permit the recovery of cumulative penalties for refusals of the defendant to comply with the provisions of the Railroad Law in regard to the transfer of passengers is as clearly manifested as in any of the cases cited. Notwithstanding this fact a majority of my brethren are of the opinion that while the rule for recovery of cumulative penalties as already adverted to is firmly established by the earlier decisions of this court, yet the changed conditions in the modern life of great cities render its modification imperative. There have been presented at the bar of this court civil and criminal cases where the aggregate penalties sought to be recovered have amounted to enormous and well-nigh appalling sums by reason of plaintiffs permitting a long period to elapse before beginning actions. Actions of this nature have become highly speculative and present a phase of litigation that ought not to be encouraged. The court is of opinion that if cumulative recoveries are to be permitted the legislature should state its intention in so many words; that a more definite form of statement be substituted for the words hitherto deemed sufficient. A sound public policy requires that only one penalty should be recovered in a single action and that the institution of an action for a penalty is to be regarded as a waiver of all previous penalties incurred." (*Griffin vs. Interurban Street Railway Co.*, 179 N. Y. 438.)

In denying a motion for a rehearing of the above case the court added that it thought "every" is not always a synonym of "each." (*Griffin vs. Interurban Street Railway Co.*, 180 N. Y. 538.)

That it is possible by good draftsmanship to give effect to a cumulative penalty provision notwithstanding the strict construc-

tion applied by the court against such penalties in the Griffin case, is shown by two subsequent cases in the same court.

A statute provided that no person shall manufacture, keep or offer for sale any adulterated vinegar, and that every manufacturer of cider vinegar shall plainly brand on the head of "each cask, barrel," etc., the words "cider vinegar," and that every person violating this provision shall forfeit \$100 "for each violation." Held that while adulteration would constitute only one violation for all the vinegar inspected at any one time, yet the judgment for cumulative penalties should be sustained because under the terms of the statute a misbranding of each barrel constituted a separate violation. (*People vs. Spencer*, 201 N. Y. 105.)

A statute prohibited the sale of adulterated milk and expressly provided that "the sale of each one of several packages shall constitute a separate violation." Judgment for cumulative penalties was affirmed and the court said: "The precise language of the statute authorizes a recovery of aggregate, or cumulative, penalties" When it can be seen from the language of the statute that a penalty is expressly imposed for each instance of the violation, the intent will be given its full effect." (*People vs. Abronson*, 208 N. Y. 138.)

An act required a railroad twice a year to remove inflammable materials from certain portions of its right of way, and provided a penalty of \$100 "for each day that it continues the violation thereof." Judgment reducing to \$200 a verdict of \$100 for each day from July 30, 1905, until the end of the year, and for each day from July 16, 1906, to the end of the year, was affirmed by the Court of Appeals on the ground that the statute was so uncertain in its provisions as to preclude a cumulative penalty; that the jury could not supply its failure to fix definite periods for observance; and that under a strict construction of the statute there could be no complete default until the last day of the calendar year, and that at the most there could be but a single day during which such default could be said to continue. (*People vs. L. I. R. R.*, 208 N. Y. 541.)

These cases indicate that while the courts will not imply legislative intention to impose a cumulative penalty, it is possible to phrase the statute so that what would otherwise be a con-

tinuing offense is divided into a number of separate offenses, each subject to a penalty. For example, in the cohabitation case the statute might either have prescribed a penalty for each day or other period during which cohabitation continued, or it might have penalized not the cohabitation which is a course of action but some particular act that forms part of that course of action. In the mail case, on the other hand, that which was held a separate offense might have been held a continuing one if Congress had imposed the penalty not on the placing of a letter in the post office, but on the using of the mails to defraud.

Where the drafter is assured that the legislature desires to impose a cumulative penalty, he can make the legislative intention effective by observing the following rules:

(1) It should be distinctly stated that the penalty is to be imposed for "each" or "each and every" offense or violation.

(2) The provisions defining the requirement or prohibition of the statute should be so drafted as to clearly indicate just what constitutes such an offense or violation. The importance of this rule is indicated by a recent statute which carefully provides "that each act of dentistry shall be deemed a separate offense," but fails to indicate what constitutes an "act of dentistry."

(3) Where the act or omission penalized is in its nature continuing, some such provision as that "each day during which the violation continues shall constitute a separate offense" should be used to indicate when an offense is completed for the purpose of incurring the penalty.

Even where the drafter has followed these rules and has carefully indicated that what might otherwise be held to be a continuing offense for which only one penalty could be imposed, is to be divided into a number of separate offenses for each of which the penalty is to be imposed, there is still danger that the courts in some jurisdictions may by resort to considerations of public policy avoid the imposition of a cumulative penalty. The New York Court of Appeals has said that before it will impose such penalties, the legislature must declare its intention to impose them *in so many words*. Subsequent cases in the same court, however, indicate that if the rules herein suggested be followed, the cumulative penalty will be sustained.

Even where a cumulative penalty is sustained and imposed, as in the case of *Jones vs. Rochester Gas Company*, 158 N. Y. 678, for each day of a company's refusal to furnish service, an action for the penalty may be held to exhaust the right to recover for a continuation of the same refusal. After the recovery of the penalty in that case, a second action was brought to recover penalties from the day of the commencement of the preceding action. The court held that while the amount of the penalty would depend on the period during which the default continued, still it was a single penalty for a default which was also single, though it might be continuous, and that the cause of action being single, it was indivisible and but one recovery, therefore, could be had. (*Jones vs. Rochester Gas Company*, 168 N. Y. 65.) This case suggests the importance of a provision expressly allowing repeated actions if it is desired to make a penalty for refusal to comply with a request operative until compliance despite an intervening action for the penalties accrued to the time of its commencement. It is, of course, possible, as suggested by the court in the above case, that the person whose request has been refused may renew it immediately after commencing his action for penalties already accrued and thereby start a new default operative until compliance or subsequent suit.

If in spite of the exercise of the utmost care the draftsman is not entirely satisfied that he has effectually precluded any possible misconstruction of a cumulative penalty provision, there is a further suggestion which, while not too strongly to be relied upon, may prove helpful at least as a caution. The courts have in some cases shown a tendency to take into consideration the amount of the basic penalty in weighing the question whether or not the legislature has expressed an intent to impose cumulative penalties. While a small penalty such as \$5 or \$10 is not conclusive of such intent, nevertheless, a large penalty such as \$500 or \$1000 has sometimes been taken as almost conclusive or a contrary intent. For example, in *Cox vs. Paul*, 175 N. Y. 328, the court said "that penal statutes are not passed to enable parties to make money by cumulating penalties, but rather for compelling the performance of some duty, public or private, and ordinarily one penalty may secure the end as effectually as many, especially when the penalty is so large as in this case."

6. COMPARATIVE DESIRABILITY OF CIVIL OR CRIMINAL PENALTY.

Penalties may be divided into two great classes, civil and criminal, and a decision between these two forms must always be made by the careful legislator. Many considerations, such as local conditions, the general character of the persons or corporations which are subject to the particular law, the established practice or custom in the jurisdiction, etc., will inevitably enter into the determination, but there are some considerations which indicate the comparative desirability of one form or the other.

A criminal penalty, especially if it permits a sentence of imprisonment, may prove a greater deterrent and more to be feared. A civil penalty, or even a fine, if not too large in amount and seemingly commensurate with the gravity of a minor offense, is sometimes treated as a mere license for the privilege of violating the law. Regulatory legislation very often applies particularly to persons or corporations to whom a money penalty means little as compared with personal imprisonment for even a short period. This consideration, however, also has its limitations, for it must be remembered that if an offense is one which may appear to the average court or jury as technical or formal and not particularly culpable, so that they are reluctant to brand a defendant as a criminal, judgment may more readily be obtained against him in a civil action.

Criminal procedure is frequently more speedy and direct, and a criminal penalty, when once imposed by the court, may be more easily enforced or collected than a civil penalty. In this connection, however, a provision found in a recent act contains a suggestion. After imposing for each violation a penalty to be recovered by the commissioner of labor in an action of debt the act further provides for execution against the body of any defendant other than a corporation if sufficient goods and chattels to satisfy the execution are not found—the whole procedure being analogous to the common law *capias ad satisfaciendum*. (N. J. Laws, 1914, Ch. 121, §§13-15.)

A criminal penalty may more readily be made flexible between certain maximum and minimum limits, while the civil procedure of most jurisdictions affords little or no machinery for administering such provisions, as has already been more fully pointed out.

On the other hand, however, the practice in civil actions may increase the chances of a recovery. The slightest preponderance of evidence is sufficient to support a verdict in a civil case, while in a criminal case the evidence must be such as to convince beyond reasonable doubt. In some jurisdictions an added advantage is afforded by the fact that a less than unanimous agreement of a jury is sufficient for a verdict in a civil case.

There can be no remission or suspension by the court of a penalty recovered in a civil action; and in only a few of our constitutions does the pardoning power of the executive extend to the remission of civil penalties or forfeitures. Even under these constitutions, it would probably be construed as limited to penalties recovered directly by the state. The importance of this consideration has been shown in cases where minor courts not in sympathy with the purposes of a law have had jurisdiction of offenses under it. In certain counties in New York during the canning season, sentences for violations of the law regulating hours of labor have been remitted or suspended as soon as imposed.

A civil penalty insures to the department or official charged with the enforcement of a law, the right of appeal and an opportunity to secure a determination of disputed questions of constitutionality, validity and interpretation. In the case of criminal penalties, it is sometimes difficult to obtain such a final determination from the highest court in jurisdiction in which the state has no appeal from an acquittal, and it has happened not infrequently that the enforcement of a law which has eventually been upheld has been practically nullified for a long period through the adverse decisions of lower courts in directing verdicts of acquittal.

A requirement of the keeping of account books, time books, etc., and of the making of reports by those subject to the provisions of a regulatory statute is frequently an important part of the machinery for its enforcement. On the other hand, most of our constitutions contain the guarantee that no person shall in a criminal case be compelled to be a witness against himself, and if the penalty for the violation of such an act is a criminal one, there exists the possibility that important provisions essential to the administration of the act may be held unconstitutional

(*Ferguson vs. Reardon*, 197 N. Y. 236). This constitutional guarantee is expressly limited to criminal cases in the Constitution of the United States and in all but about six of the state constitutions.

It may sometimes happen that the interests of the public or of those who have been damaged by an offense might be furthered by a compromise (*e. g.*, full restitution if prosecution is discontinued) more than the interests of justice would be furthered by pushing the prosecution. A provision for a civil penalty gives the prosecuting officer an opportunity to make such a compromise not afforded under a criminal penalty.

While it may at times be difficult to decide the question of policy as between a civil and a criminal penalty, there is no excuse for failing to clearly indicate the form of the penalty and thus passing on to the courts an unnecessary problem of interpretation. In the present development of our jurisprudence, every action or prosecution must fall on one side or the other of the line dividing civil and criminal procedure, and it is inexcusable that penalty provisions of such a hybrid nature as those referred to in subdivision eight of this topic should be so frequently found in our legislation.

7. CRIMINAL PENALTIES.

In drafting a provision which includes criminal penalties any inconsistency or failure to conform with the general criminal law and procedure of the jurisdiction should be avoided. From the very nature of the case it is impractical in this report to treat exhaustively this phase of the subject; but it is possible to point out briefly how an entirely different and unintended effect may result from such disregard on the part of the draftsman.

In many foreign countries criminal offenses, aside from offenses such as treason, which need not now be considered, are divided into three classes, *e. g.*, in France and Belgium into crimes (crimes), misdemeanors (delits), and trespasses or police infractions (contraventions), with further subdivisions within each class. In this country, however, such offenses are generally divided into but two grades—felonies and misdemeanors—and there is little or no subdivision within each grade, although the same purpose is attained through the different penalties pre-

scribed for different offenses. As, however, the operation of many provisions of law which are of general application—*e. g.*, such as those relating to jurisdiction, procedure, witnesses, juries, evidence, principals and accessories—often depends upon the grade of the crime, and upon the other hand the grade of the crime, if not specifically stated, may depend upon the same sort of general rule, the importance and necessity of keeping such considerations in mind when drafting a criminal penalty will readily be realized. For example, under such a provision as that of §2 of the New York Penal Law, to the effect that a felony is a crime which is and may be punishable by death or imprisonment in a state prison and that any other crime is a misdemeanor, the casual addition of the words “in a state prison” or “in a penitentiary” to a provision imposing the penalty of imprisonment might result in differences in the jurisdiction of the court having cognizance of the offense and in the rules of law affecting its prosecution entirely unintended by the proponents of the legislation.

In drafting a criminal penalty it is probably advisable to state that the person violating the statutory provisions “is guilty of a misdemeanor (or felony).” This precludes the possibility of a question whether the offense is criminal, and if so, of what grade, and of incidental questions as to the jurisdiction of the court, the manner of choosing a jury, etc.

In the construction of penalty provisions the question frequently arises whether a violation of a statute is punishable without proof of knowledge or intent on the part of the offender. The necessity for including the words “knowingly” or “wilfully” in defining the offense, or on the other hand expressly providing that knowledge or intent is immaterial, depends largely on such considerations as the nature and seriousness of the offense, its status at common law, the language of the statute in which it is defined, and the nature of the penalty which is imposed. The omission of such a provision defining the exact nature of the offense may necessitate a judicial interpretation, which in turn may materially affect the operation of the statute and contravene its most effective provisions.

At common law no crime was punishable without proof of a guilty mind, and an indictment was faulty which did not allege intent. With the development of police regulations, there arose

a new class of offenses defined by statute and commonly known as *mala prohibita*. A statute defining such an offence need not specify that intent or a guilty mind is essential to the imposition of punishment for its violation, but if it is intended that the state of mind is essential to conviction under such a statute, it should be so specified. Thus, in the case of violations of speed laws, Sunday closing laws, game laws, license laws, or similar legislation, punishment will be imposed on proof of violation irrespective of knowledge or intent on the part of the offender. But if the legislature makes even the slightest reference to the state of mind of the offender, it may be construed as an essential element of the offense. Thus, where a statute provided against selling liquor to minors and further specified that selling to a minor in a certain place should be deemed *prima facie* evidence of an intent to violate the law, the court held that there was a plain inference from the language of the statute that there must be an intent to violate the law before a conviction could be sustained (*People vs. Welch*, 71 Mich. 548). If the penalty imposed is severe, however, even though the statute itself defines the breach as a misdemeanor, a court will sometimes seize upon inapt phraseology to declare that an intent or guilty knowledge on the part of the offender is a prerequisite to the imposition of a penalty under it.

When a statute defines an offense which was also a crime at common law, it is generally held that the common law principles have not been abrogated and that a wilful act or knowledge on the part of the defendant is necessary to a conviction. Thus when a statute defines burglary as including the breaking and entering of a dwelling house in the day time and affixed a penalty of from ten to twenty years in the penitentiary, it is not to be presumed that an indictment under the act would be upheld without proof of intent. A crime which is a *malum in se* and at common law required intent will not be changed in this respect when defined by statute unless the statute expressly provides that intent is not an element. When, however, a statute defines a crime in an entirely different manner than at common law, or defines a new crime which did not exist at common law, and a penalty is imposed which is very severe, the question whether it is necessary to prove knowledge or intent as an element of the crime is one of inter-

pretation, and the draftsman should carefully consider the advisability of expressly stating whether knowledge or intent is an essential element. Of course, if general statements in the provisions show that it is not, specific reference need not be made, but if the offense falls within the class last considered, an express provision as to whether the state of mind of the offender is an element of the offense should be included.

The penalizing of violations of administrative rules and regulations presents no additional difficulties, except that until quite recently there existed some question as to whether a criminal penalty could be imposed by the legislature for an offense which the legislature itself had not specifically defined. This difficulty has, however, been finally disposed of by the Supreme Court of the United States, which sustained an indictment for a violation of a regulation concerning the grazing of sheep within forest reserves. The regulation had been made by the Secretary of Agriculture under an act of Congress giving him power to make rules and regulations to "insure the objects of such reservations, namely, to regulate their occupancy and use, and to preserve the forest thereon from destruction," but making no specific mention of the grazing of sheep (*United States vs. Grimaud*, 220 U. S. 506). It is just possible that there may still be some jurisdictions which would refuse to adopt the view of the Supreme Court upon this once doubtful question; but similar convictions for violations of administrative regulations have been sustained in several states. (*Commonwealth vs. Sisson*, 199 Mass. 447; *Pierce vs. Doolittle*, 130 Iowa 333; *State vs. Snyder*, 131 La. 145.)

There is real doubt, however, of the constitutionality of a form of provision not uncommon in England, authorizing the fixing of the amount of the penalty by administrative regulation (*e. g.*, the Mental Deficiency Act, 3-4 George V, Ch. 28, p. 166, provides that any person guilty of a breach of any regulation made under the act shall be liable to a penalty to be prescribed by such regulations within a maximum fixed by the act). The fixing of the penalty in this manner is little more advantageous than the fixing of it directly by the legislature, and as there is seldom any need for a provision in this form, it should be avoided as of doubtful validity. This objection, of course, does not apply to municipal and other subdivisions of the state, the delegation of

local legislative powers to which has always been sanctioned by the principles of constitutional law, and it is possible that in some jurisdictions such quasi-administrative agencies as health boards would be included in the class to which such power can be delegated (*c. f.*, Compiled Statutes of New Jersey, 1910, title "Health," §§50-51).

Mention should also be made of a not uncommon error found in provisions for the punishment of offenses both by fine and imprisonment. In most such instances a flexible penalty of a fine or imprisonment or both is mentioned; and where such is the intent the conjunction "or" should be used and not "and" as has not infrequently happened in provisions where a different meaning was obviously intended.

8. CIVIL PENALTIES.

In the case of a criminal penalty it is of course unnecessary to provide by whom the prosecution is to be brought; but a provision for a civil penalty should indicate upon whom the right of action is conferred—whether the state or a specified officer charged with the administration of the particular law, or a common informer or the party suffering damage on account of the violation.

It is in provisions for civil penalties that draftsmen have not infrequently committed a most flagrant breach of good form—at least it is such in most jurisdictions. Although in a few jurisdictions the courts have held to the contrary, the term "fine" ordinarily implies a criminal penalty and is for example defined by Bouvier as "a pecuniary punishment imposed by a lawful tribunal upon a person convicted of a crime or misdemeanor." The mode in which fines and penalties are to be recovered is a matter of legislative discretion and a statutory provision that a "fine" is to be recovered in a civil action would, of course, be enforced by the courts. Such wording is, to say the least, bad form, and at the worst may give rise to ambiguities as to just what procedure was intended. The use of any such terms as "fine," "guilty" or "conviction" should be strictly avoided in the drafting of any penalty provision not criminal in its nature.

An interesting question arises when a civil liability for a wrongful act is imposed by a statute. A provision of this sort is

penal in the sense that it is to be strictly construed and if the liability is enforced in an action by the state or even by a common informer, it is, like a criminal prosecution, penal in the sense that such an action cannot be maintained in the courts of another state or country. But if there is given to the party damaged a right of action which otherwise would not have existed the action on his part is remedial and enforceable in the courts of another jurisdiction. (*Huntingdon vs. Attrill*, 146 U. S. 657.) Whether the same is true if the statute allows the recovery of damages in excess of those actually suffered, *e. g.*, double or triple damages, is a more open question; but a right of action for double damages in case of neglect by a town of its duty to keep the highways in safe condition has been held "purely remedial" and as having none of the characteristics of a penal prosecution (*Reed vs. Northfield*, 13 Pick. 94); and a statute creating a liability for damages for the infringement of the copyright of a dramatic composition "to be assessed at such sum, not less than \$100 for the first, and \$50 for every subsequent performance, as to the court shall seem just" has been held not a penal statute. (*Brady vs. Daly*, 175 U. S. 148.) The case cited is probably authority for the point that where the inherent difficulty of proving by satisfactory evidence the amount of damages actually sustained is great, a statute fixing as liquidated damages an amount sometimes exceeding the actual damages, is strictly remedial and not penal.

A novel example of this form of penalty is found in a recent act requiring the prompt payment of wages, which provides that a laborer making written demand for unpaid wages within twenty-four hours after discharge shall recover in addition to wages due, a penalty of as much per day for the time the wages remain unpaid, not exceeding thirty days, as he was receiving at time of discharge. (South Carolina, Act of March 6, 1915.)

9. FORM AND PHRASEOLOGY.

In the drafting of penalty provisions it is especially important that the rules and principles of drafting should be carefully followed, as no other form of legislation is subjected to more critical tests by the courts. That the most simple, plain and concise statement is the best cannot be too strongly emphasized.

The detaching of clauses, an expedient well adapted to the clear expression of all penalty provisions, and one which is commonly practiced in European countries, has been treated at considerable length under the heading "Canons of Style" in Topic I,¹ to which reference should be had. The best American example of this detaching of clauses is probably found in the Penal Law and codes of procedure of New York.

In American legislation the penalty provisions generally follow the substantive provisions to which they relate, but in England they are frequently found at the beginning of an act. It is doubtful, however, whether any great advantage would follow the adoption of the English practice in this country.

It is probably unnecessary to use the double form "violation of or failure to comply with" as the term "violation" is sufficiently broad to include acts of omission as well as of commission (*State vs. Case*, 53 Mo. 246), and when an act regulating the manufacture of goods also prohibited the sale of goods made in violation of its provisions, an indictment for a sale of goods manufactured outside of the jurisdiction has been sustained on the ground that violation means "practical non-conformity as well as punishable transgression" (*People vs. Fox*, 4 N. Y. App. Div. 38).

It is seldom necessary to scatter through a code or general law, which may be subject to many different kinds of violations, different penalty provisions for different substantive provisions. It may be that all violations cannot be included in one penalty provision, but generally most violations can be so included. One section providing penalties for all violations "except as herein otherwise provided," and special provisions for the punishment of violations, which for one reason or another really deserve special treatment, will generally be found the most satisfactory form. Even a cursory reading of the Act to Regulate Commerce furnishes convincing proof of the usefulness of working a penalty provision into almost every page of a long act.

Where an offense is sufficiently defined by the substantive provisions of a statute it is best as a general rule merely to refer in the penalty provision to the substantive requirements or prohibitions—e. g., as "provisions of this act," "provisions of sec-

¹ Annual Report of the American Bar Association for 1914, page 645.

tion ten," etc.—and not to attempt a further definition of the offense. If in any instance, however, it is thought desirable to repeat such a definition in the penalty provision, extreme care should be taken to use exactly the same form and phraseology as found in the substantive provisions. Any other course is subject to a great risk of resulting in an inadvertent difference in the offense as defined in the two provisions—*e. g., cf.*, the exceptions stated in New York Labor Law, Par. 7 (Laws of 1913, Ch. 462), and in New York Penal Law, Par. 1271, subdivision 4 (Laws of 1907, Ch. 506).

It must be remembered that to the extent that a penalty provision relates to and is dependent upon substantive provisions, as almost every such provision does, it is incomplete in itself, and especially is this so if it includes a cumulative penalty. The draft of such a provision cannot be considered finished unless when considered and tested in connection with the substantive provisions to which it relates, all taken together make a complete and perfect whole.

10. ILLUSTRATIVE PROVISIONS.

The following drafts of typical penalty provisions have been prepared in illustration of the principles here discussed:

"(a) Any person who violates any provision of this act or of the regulations made in pursuance thereof is guilty of a misdemeanor, and upon conviction shall be punished for a first offense by a fine of not less than \$20 nor more than \$100; for a second offense by a fine of not less than \$50 nor more than \$250, or by imprisonment for not more than thirty days, or by both such fine and imprisonment; and for a third or subsequent offense by a fine of not less than \$100 nor more than \$1000, or by imprisonment for not more than one year, or by both such fine and imprisonment. A violation constitutes a second offense if committed after one conviction of the same person for a violation of the same or any other provision of this act or of the regulations made in pursuance thereof, and constitutes a third or subsequent offense if committed after two or more such convictions. (The term 'person' is used in these drafts on the assumption that it is elsewhere defined as including also corporations, associations, etc. In this connection note the use throughout the Criminal Code of the United States of the term 'whoever'.)

"(b) Any person who violates any provision of this act or of the regulations made in pursuance thereof, shall, for each viola-

tion, be liable to a penalty of \$50, to be recovered in a civil action by the people of the state.

"(c) Any person who sells or gives a cigarette to any minor under the age of sixteen years, shall for each cigarette so sold or given forfeit and pay to the parent or guardian of such a minor the sum of \$10, to be recovered in a civil action by the person entitled thereto.

"(d) Any person who violates any provision of this act shall for each violation forfeit to the people of the state the sum of \$100, to be recovered in a civil action. When the violation consists of the manufacture or production of any article or substance, or the maintenance of any condition, or the continuance of any course of action, each day during any part of which such manufacture or production is carried on, or such condition or course of action is maintained or continued, constitutes a separate violation. When the violation consists of the sale or exchange or the offering or exposing for sale or exchange of any article or substance, the sale or exchange of each one of several packages shall constitute a separate violation, and each day on any part of which any such article or substance is offered or exposed for sale or exchange constitutes a separate violation. When the use or furnishing for use of any such article or substance is prohibited, each day during any part of which such article or substance is so furnished for use constitutes a separate violation, and the furnishing of the same for use constitutes a separate violation as to each person to whom it is furnished." (See N. Y. Agricultural Law, Par. 52. Laws of 1901, Ch. 656.)

APPENDIX C.

LETTERS FROM OFFICERS OF OFFICIAL BILL DRAFTING AND REFERENCE AGENCIES, DETAILING THE WORK BEING DONE BY THEIR RESPECTIVE AGENCIES.

CALIFORNIA.

LETTER OF ARTHUR P. WILL, CHIEF OF CALIFORNIA LEGISLATIVE COUNSEL BUREAU, DATED MAY 14, 1915.

"This bureau was created by an act of 1913, a copy of which is enclosed herewith. It was not organized, however, until the summer of 1914. The act creating it has been amended so as to impose upon the chief of the bureau the duty of revision of initiative measures as described in Senate Bill 723, a copy of which is enclosed herewith and which has become law.

"The months intervening between the organization of the bureau and the meeting of the legislature were occupied in consultation with various departments of the state government relating to the measures which they contemplated presenting to the legislature, in gathering from this state and elsewhere information on various subjects which it seemed probable that the legislature would consider, in drafting bills in response to requests by members of the legislature and in otherwise preparing for effective and adequate service. When the legislature met it was speedily seen that none of this preparatory work had been wasted. The services of the bureau were immediately availed of as though it had been in operation for many years. There seemed to be very little doubt amongst the members of the legislature as to the lines along which its services could be utilized. Of the 40 members of the Senate and 80 members of the Assembly, 120 in all, 115 resorted to this bureau during the session for service of various kinds and extent. In addition to these members of the legislature, we were called upon by nine departments of the state government and the executive. If one may judge from expressions of the legislators and heads of departments, the state will never again be without such a bureau. The legislature has increased our appropriation and various lines of work have been laid out for us which will undoubtedly occupy our time very fully until the next session. Along with other work we shall codify the laws under which various departments are operating.

"One noticeable feature about the development of our work in this state is that the drafting of bills is only one form of the activities of the bureau. Reference to it as a bill drafting bureau indicates a very imperfect conception of its purpose and duties and actual operation. It is a Legislative Counsel Bureau in the fullest meaning of the term. The chief of the bureau, during the session of the legislature, was daily called upon to express his opinion as to the practicability of proposed measures and their relation to existing laws, to give opinions verbally and in writing as to the constitutionality of proposed laws and in other ways to counsel the legislature and the departments. As far as we were able during the rush of our daily work, we kept track of the progress of legislation in other states regarding subjects of interest to the people of this state. The bureau was constantly called upon to prepare amendments to bills already introduced and to advise the legislative committees on revision and printing. It is to be remarked, however, with emphasis, that neither the chief nor any member of the staff either urged or opposed, directly or indirectly, legislative action upon any measure.

"An important provision of the law creating this bureau is that requiring the chief of the bureau to remain at the call of the Governor for the 30 days following the adjournment of the legis-

lature—the period allowed by the constitution for the signing of bills.

“In conclusion, it may not be inappropriate to say that the relations between the bureau and the members of the legislature have been most harmonious. On the one side, the bureau has been anxious to render every service within its power that could lighten the work of the legislators, and on the other side the members of the 41st session of the legislature—an exceptionally able body, by the way—have displayed the utmost consideration and appreciation.”

ILLINOIS.

LETTER OF FINLEY F. BELL, SECRETARY OF THE LEGISLATIVE REFERENCE BUREAU, DATED APRIL 23, 1915.

“The bureau has four functions, viz.: The collection of data, recording of procedure during the session, preparation of the budget, and the drafting of bills.

“As compared with the bureaus in other states, we have been assigned more work than perhaps any other bureau, and it is rather difficult to set forth within the scope of this letter, our accomplishments to date. . . . Our attempt along the lines of scientific budgetry has been the first made in this state, and it has been very well received by the legislature. Our Legislative Digest, which is issued weekly, seems to fill a long needed want. Of the bills introduced so far, this bureau has prepared about 90 per cent, and while I cannot affirm that they are flawless, I feel safe in the assertion that their preparation was effected with more care than similar bills introduced in the legislature.

“The popularity of the bureau is growing daily. It is being constantly used, not only by members of the legislature, but the public as well. The question now is, not so much what a bureau can accomplish, but how did the legislature ever get along without it?”

INDIANA.

LETTER OF JOHN A. LAPP, DIRECTOR OF THE BUREAU OF LEGISLATIVE INFORMATION, DATED APRIL 29, 1915.

“This bureau was originally organized as the legislative reference department of the State Library. In 1907, it was given an appropriation of \$4000 and the work was actively begun. The law required the collecting of information and the drafting of bills under direction of members of the legislature. Considerable work was done at the beginning with this limited appropriation.

“In 1911, the appropriation was slightly increased and the department was authorized to co-operate with the University of

Indiana and also to organize a municipal reference section for the purpose of aiding cities of the state.

"In 1913, the bureau was organized separately under the direction of a board consisting of the Governor, State Librarian, the presidents of the two state universities and one additional member appointed by the Governor. An annual appropriation of \$13,500 was provided and that appropriation was continued by the 1915 legislature. The work is merely an expansion of that which was carried on in the beginning. Gradually the amount of work passing through the department has increased until at the session of 1915 approximately three-fourths of the bills were either drafted in this department or revised. The preparation of bills has been the largest element of the work of the bureau. The material gathered has been used more extensively by members of the staff in preparing such bills than by the individual members of the legislature. This is inevitable because the ordinary member is not a student and cannot use research materials to very great advantage. A few members do extensive research work and to these the department has been very helpful. On the whole, however, the material gathered serves its greatest purpose in putting at the command of the staff of the bureau the information which they need in working out concrete propositions in the form of bills.

"Two fields of work have been especially fruitful for the bureau. One that of co-operating in the conduct of legislative investigations. This bureau did practically all of the work for the Industrial Education Commission in 1912 and 1913 and did practically all of the research work for several commissions and investigations created in 1913. For the coming year similar duties are put upon the bureau in helping the Commission on Taxation. The second work of importance is that of revising and codifying statutes on certain subjects. The 1915 legislature put the duty of codifying the health laws and the mining laws upon this department in co-operation with special commissions. The work of the department is carried on regularly by a staff consisting of eight members and one additional person from the University of Indiana who co-operates in the municipal reference work. During the last session we had 24 employees and besides the stenographic force of the House of Representatives was placed under the direction of the bureau.

"The inadequate facilities for giving information on pending legislation has caused us to develop the facilities for the copying of bills introduced and furnishing information. This work will be expanded in the future unless the legislature provides a method of giving information to the public.

"I am convinced that a department of this kind must take hold of the whole problem for the preparation of bills in connection

with a bureau of information. I do not believe that efficiency will be developed by creating a bureau of reference independent of a drafting department."

OHIO.

LETTER OF C. B. GALBRATH, DIRECTOR OF THE LEGISLATIVE REFERENCE DEPARTMENT, DATED MAY 1, 1915.

"This department was organized in 1910 as a part of the state library. This plan was continued until February, 1913, when it was made a separate state department with a director. At present the state librarian has been appointed ex-officio director without compensation.

"The work of the department this winter has been mainly in drafting bills, about 300 of the bills which were introduced in the legislature having been drafted in this department. A great deal of reference work has also been taken care of, chiefly of a comparative nature in looking up laws and legislation in the various states which would help in the legislation in this state. During the past two years three bulletins have been issued by the department. Prior to that time there were several bulletins issued under the direction of the state librarian.

"I feel that these departments are of great value to the members of the legislature and there are possibilities of doing a great amount of research work along legislative lines."

PENNSYLVANIA.

LETTER OF JAMES N. MOORE, DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU, DATED MAY 28, 1915.

A SHORT SYNOPSIS OF THE WORK DONE IN THE LEGISLATIVE REFERENCE BUREAU.

"The Legislative Reference Bureau was created by the act of April 27, 1909, P. L. 208, which act was amended by the act of April 21, 1911, P. L. 76. The bureau was established primarily for the use and information of the members of the General Assembly, the heads of the several departments of the state government, and such other citizens of the commonwealth as may desire to consult the same. Under the act creating the bureau it becomes the duty of the director and his assistants, upon request, to aid and assist the members of the General Assembly, the Governor and the heads of the departments by advising as to bills and resolutions, and also to draft the same into proper form for presentation to the legislature. The bureau is also directed to furnish to the members of the General Assembly, the Governor and the heads of the departments, full information upon all

matters which may be of public interest. The bureau is prohibited from either urging or opposing legislation and may not suggest any bills to the General Assembly for introduction. In the drafting of bills the bureau follows the request of the author of the bill and may insert no provisions which have not been suggested. The purpose and aim of the bureau in the drafting of bills is to pay particular attention to the form in which they are drafted, to make them readable and easily understood to look into their constitutionality, both as to form and substance and their effect upon existing legislation. In this connection suggestions are oftentimes given to the authors of bills which may be either adopted or rejected.

"Under the act creating the bureau it is not compulsory that bills submitted to the legislature should pass through the bureau, either before or after presentation, but that the work of the bureau has been of some value and is appreciated by the members of the General Assembly and the heads of the departments of the government is best shown by the fact that out of a total number of 2189 bills presented at the last session of the legislature, approximately 60 per cent of them were drafted or revised by the bureau before presentation.

"In addition to the drafting of bills much valuable assistance is given to the members of the General Assembly in the drafting of amendments to bills during their passage through the legislature, and also much information is given showing the effect of proposed legislation upon the existing legislation and the operation of such legislation in other states.

"During the sessions of the legislature the bureau maintained in each branch of the General Assembly a bill-book clerk who keeps a record of all legislation which is immediately after each session entered in the records of the bureau so that at any time the status of any particular bill which has been introduced can be readily ascertained. In addition to the status of the bills in this record, the bills are minutely indexed so that any particular bill which has been introduced may be easily located.

"In addition to collecting much valuable information relating to matters of public interest, the bureau is authorized to prepare from time to time and publish bulletins, pamphlets and circulars containing information collected by the bureau and such compilations of the laws of this or other states as may be deemed to be of service to the several departments of the state government and to members of the General Assembly. Several of these publications have been prepared and have been widely distributed and have proved of great value to the citizens of the state.

"By the act of May 20, 1913, P. L. 250, the bureau was directed to examine the entire statute law of the commonwealth and to ascertain as nearly as may be what laws and parts of laws

have been repealed or which have become obsolete, and to prepare lists of the same. The bureau was also authorized to cause to be prepared, for adoption or rejection by the General Assembly, compilations, by topics, of the existing general statutes, arranged by chapters and sections, under suitable headings, with accompanying lists of statutes to be repealed and also to cause to be prepared codes of the existing laws on each of such topics, together with lists of statutes to be repealed, in the event of the adoption by the General Assembly of any of such codes.

"In this connection during the last two years the bureau has examined the entire statute law of the commonwealth and by a system of marginal notes has attempted as nearly as may be to ascertain the exact status of every general act of Assembly in Pennsylvania.

"In addition to this the statute law has been minutely indexed by a cross-reference system so that by taking any particular subject of the law all the acts of Assembly that have ever been passed upon that subject can be speedily located.

"In addition to this work upon the statute law three compilations were prepared; namely, a compilation of the corporation law; a compilation of the law relating to taxes; both state and local, and a compilation of the law relating to boroughs. At the same time codes were prepared upon these subjects including all the statute law and arranged by chapters, articles and sections with a repealing clause repealing all existing legislation. Of the codes presented up to the present time the one relating to boroughs has been adopted by the General Assembly. This code in itself embodies in one act all the law which before was scattered through 275 or more acts and covering a period of almost a century.

"The bureau also presented to the legislature a bill repealing all the statute law which had become obsolete, or which was repealed by implication, supplied, superseded or declared unconstitutional by the court, but which had never been specifically repealed and still remained upon the statute books where it served only to confuse. This repealing bill, which repeals approximately 875 acts, has been passed by the General Assembly and is now in the hands of the Governor."

VERMONT.

LETTER OF JOHN M. AVERY, LIBRARIAN OF THE LEGISLATIVE
REFERENCE BUREAU, DATED APRIL 22, 1915.

"The Legislative Reference Bureau was originally established in Vermont by the legislature of 1910 under the supervision of the State Library and with an annual appropriation of \$1000. In the act of 1910 there was no provision made for bill drafting but the rules of the legislature provided for a joint committee known as the 'Revision Committee,' to whom all bills were re-

ferred previous to their introduction for correction as to phraseology, form, etc. The act of 1912 amending the act of 1910 increased the appropriation for the department from \$1000 to \$5000 annually and provided for two officers known as 'revisers of bills' to be appointed by the Governor and confirmed by the Senate and to hold office until removed for cause, whose duties should be similar to those formerly performed by the Revision Committee. The statute on this point read as follows:

"It shall be the duty of the revisers of bills to examine, previous to their introduction, all bills and resolutions presented to either branch of the legislature, making such corrections as may be necessary to insure accuracy in the text and references, clear and concise language, and consistency with existing statutes, and to avoid repetitions and unconstitutional provisions. . . ."

"The legislature of 1915 again amended this act regarding the revisers of bills leaving as before that part regarding the legislative reference work. The provision regarding the revisers of bills was amended so as to read as follows:

"SEC. 3. On the first Friday of each session of the General Assembly two men of legal training and practice, who shall not be eligible to membership in either branch of the legislature during their incumbency in this office, shall be appointed for a term of two years or until their successors are appointed, by the President of the Senate, and the Speaker of the House, to be known as legislative draftsmen. Any vacancy caused by the death, resignation, or removal of a legislative draftsman, shall be filled for the unexpired term by the Speaker and the President of the Senate. In case the Speaker and President of the Senate cannot agree upon the appointment of the legislative draftsmen the Chief Justice of the Supreme Court shall have the deciding vote.

"The legislative draftsmen shall perform their duties in the office of, and in connection with, the Legislative Reference Bureau in the State Library.

"SEC. 4. The legislative draftsmen shall give assistance to members and committees in the drafting of bills, resolutions and amendments, if so requested, but shall not oppose nor urge legislation, nor the election of any officer by the General Assembly.

"The legislative draftsmen shall perform for the Senate and the House of Representatives all the duties of a Committee on Revision of Bills, except when the joint rules of the Senate and House of Representatives provide that such committee be otherwise constituted."

"The principal arguments advanced in behalf of this change are that these officers should be responsible to the legislature

whom they serve rather than to a Governor who may be out of office during their term of service and they should not have power to decide regarding the constitutionality of an act. Number 19 of the Senate rules provides as follows:

"All bills intended for presentation by any member of the Senate shall be first presented to the revisers of bills, whose duty it shall be within three days after receiving each bill to examine and revise the same as to form and expression, so far as it may require and, after certifying to such revision, said committee shall deposit the same with the Secretary who shall submit the same to the President...."

"There is a similar rule in the House regarding the introduction of bills.

"As regards the bill-drafting work I might say I think service during the last session of the legislature was quite satisfactory, there having been a uniformity of phraseology and form which is quite desirable and practically impossible under any other method.

"The reference service is conducted in a manner similar to that in other states and is closely allied to the drafting service. the librarian at times serving in drafting bills.

"During the last session there was put into operation a plan of indicating by the method of printing in amendatory bills, what was old and what was new matter."

APPENDIX D.

EXTRACT FROM THE REPORT OF THE JOINT SPECIAL COMMITTEE
ON LEGISLATIVE PROCEDURE OF THE MASSACHUSETTS
SENATE AND HOUSE OF REPRESENTATIVES, RECOMMENDING
"THE ESTABLISHMENT OF A NEW OFFICIAL TO BE CALLED
'CLERK OF COMMITTEE,' TO BE AN EXPERT UPON DRAFTING
LEGISLATION AND TO HAVE CHARGE OF THE DETAIL OF
COMMITTEE WORK."

"There has been a universal movement within the last few years for more uniform, consistent and better drafting of our statute law. For two years the American Bar Association has emphasized this movement. It has been taken up by the Massachusetts Bar Association, and only recently Elihu Root delivered an address in Washington, D. C., which has been widely quoted by the press of this state.

"By gathering, compiling and indexing material on general, economic and legislative subjects, a member is able to secure the

latest information relative thereto at the expenditure of a minimum amount of time and energy. Take, for instance, such questions as the regulation of public service corporations, milk legislation, divorce, direct primary, or, more recently, workmen's compensation, blue-sky laws and modern methods of taxation, the latest bibliography, together with the recent enactments in other states, can be made available. Such a library was established in Massachusetts in 1910 as a branch to the State Library, and its service to the members of the legislature is best evidenced by the increase in its average use by from 15 to 40 members a day.

"The second aid to better legislation is the establishment of some form of a drafting bureau. Some states include assistance in drafting with the duties of the reference library. . . .

"The committee has investigated the various systems in effect in these different states. We do not believe in the adoption of a system similar to Wisconsin, where the drafting is done by officials in the reference library. We do believe that the reference library should be separate, but at the disposal of the drafting official as well as members of the legislature.

"The committees on bills in third reading, with clerical assistants in each branch, are now allowed 48 hours to examine bills submitted to them. This is entirely inadequate for the purpose, and in long bills permits only the correcting of language and a verification of references. Supplementary to the above system it would be adequate, and we believe such a check should be maintained.

"Such an official as a clerk of committees, to have charge of drafting legislation, would have to be an expert or one capable of becoming an expert. There is available today very little knowledge on the subject. The profession, if such it may be called, is in its infancy. There are or ought to be certain underlying principles fundamental to an adequate conception of such duties, but apparently they are for the most part undiscovered. There have been intermittent attempts to set forth certain rules to govern the drafting of bills such as the Indiana pamphlet of 1910. We understand that the American Bar Association is to prepare a legislative manual, with this in mind. A collection of the decisions of the United States and Massachusetts Supreme Courts on interpretation of certain phraseology, meaning of words and construction of statutes would be invaluable. Such judicial decisions would furnish ample precedent in the wording of the law to be drafted. Time should be taken to investigate the question of constitutionality, with reference to both the state and national constitutions, and any judicial decisions thereon.

"Each act should be carefully tested as to its harmony and co-ordination with existing law, to see whether it is a duplicate of any other law or is inconsistent with any, or does in another way

what is already done in one way. The provisions of the act should be clearly adequate to its purpose without accomplishing something never intended. They should be studied with reference to economic, social and business conditions of that part of society affected. With all this there should be brevity, simplicity of form and freedom from ambiguity.

"If that is not a task for an expert we know of none. We pride ourselves on the care that committees now give to the drafting of important bills, yet even here in Massachusetts, judging from the above tables, there is much that is enacted that is loose, slipshod and subject to continual revision or interpretation either by the legislature or the courts. We have only to cite the famous 'semi-colon' law, so-called, as a typical illustration, and the 'red flag' law of this past year as another.

"This office should be created by the legislature and be under the control of the legislature. The incumbent should be assured, either directly or indirectly, of some permanency in his tenure of office. He should be absolutely non-partisan, and should in no way initiate or influence legislation.

"There are other important duties he could be intrusted with, other than mere drafting of bills. He could be given custody of all bills referred to committees, which might save some inconveniences of the past due to lost or mislaid bills. He could arrange the hearings and attend to the giving of notices for the same. By having charge of the advertising, much that is unnecessary would be eliminated. He should keep the records of the committees and a record of attendance of its members. If the rule should be adopted requiring bills to be filed in December, he could arrange the references and the printing of the bills. He could prevent the printing of duplicate bills, of which there are always many, by giving a receipt to every person filing the bill, on which it could be stated that it was received and would be printed if nothing substantially like it had already been printed.

"Between the sessions of the legislature, he could bring up to date the laws on some particular subject by a process of revision, elimination and codification, repealing obsolete parts and harmonizing conflicting portions. Such a codification should be submitted to the legislature for action."

APPENDIX E.

REPORT OF WM. A. SCHNADER OF THE PHILADELPHIA BAR ON WAYS FOR IMPROVING THE DRAFTSMANSHIP OF INITIATIVE LAWS AND CONSTITUTIONAL AMENDMENTS.

PHILADELPHIA, PA., June 18, 1915.

The Committee on Legislative Drafting of the American Bar Association.

SIRS: In response to your request, I take great pleasure in giving you herewith a few random observations regarding the possibility of providing for the better draftsmanship of measures submitted to the electorate under the initiative.

As you know I made an investigation on the practical operation of the initiative and referendum several years ago under the auspices of the University of Pennsylvania Law School. My primary purpose was to discover, if possible, whether the initiative and referendum had been successful in practice entirely aside from any theoretical considerations. Naturally one of the very pertinent factors which must be considered in such an inquiry is the technical quality of the measures brought before the voters by initiative petition. This factor is even more important than it would otherwise be because in a number of states the initiative may be invoked not only for the proposal of statutes, but of constitutional amendments as well. Inartificially drawn statutes are utterly undesirable; but except in states where initiated laws can be amended only by popular vote, vicious statutes can be much more readily amended or repealed than undesirable constitutional provisions.

The suggestions usually made for the safeguarding of the initiative and the referendum have to do with the method of circulating petitions. The question whether petitions to place measures on the ballot should be permitted to be circulated for pay has been the storm-center of a heated controversy in which the ardent advocates of direct legislation usually defend paid petition circulating. Those who insist that all petitions should be procured solely by voluntary effort argue that the circulation of petitions for compensation tends to multiply fraudulent signatures and thus to bring before the voters many measures which would not be on the ballot were paid circulating prohibited.

It cannot be disputed that charges of fraud have frequently been made in the states which do not forbid the circulation of petitions by hired solicitors. In Oklahoma, for example, more than 50 per cent of the petitions circulated prior to 1914 were alleged to contain fraudulent names. One officer of the Depart-

ment of State was specially deputized to act as a judge of fraud charges and a large part of his time was consumed by the performance of his duties along this line. It is alleged that most of the petitions which were adjudged fraudulent to such an extent as to prevent the measures which they contained from appearing on the ballot, were circulated by paid solicitors whose only interest was the procurement of their per-name compensation. In California charges of fraud were made in connection with several petitions circulated for the submission of measures to the voters at the 1914 election. In Oregon fraud charges have been frequent. In *State vs. Olcott*, 125 Pac. Rep. 303 (1912), the State Supreme Court was called upon to investigate the circulation of an initiative petition, and in its opinion the following language was used:

"That there was no general and spontaneous desire on the part of the general public to withhold the appropriation from the university soon became apparent, and the promoters were compelled to employ an attorney to secure the necessary signatures. This in itself was not an unusual course, as it is difficult to find citizens who are so devoted to their principles as to be willing to circulate such petitions without compensation. They employed Mr. Parkinson of Portland, who undertook to procure such signatures for 3½ cents a name. He employed a large number of circulators, who went forth into the highways and byways to procure signatures. Seven of these, at least, devised an easy method of earning their money. They would get together and pass their petitions around each signing a few names in a disguised hand, thus minimizing the chance of detection. These forgeries were clearly proved, mostly by the admission of the parties. The petition as filed contained 13,715 names. Of these it is admitted that 3778 are forgeries, perpetrated by dishonest circulators."

Charges of fraud have also been made in South Dakota and in Ohio. Those who place the blame for the perpetration of frauds of this sort on the possibility of having petitions circulated for pay, allege that aside from the actual forgery of names by unscrupulous circulators, persons who receive pay for the names which they procure bring undue influence of every description to bear upon those from whom they solicit signatures. They frequently urge that to sign the petition does not commit the signer to the measure, while it will bring from three to fifteen cents into the pocket of the solicitor. It is also alleged that persons who make capital out of the circulation of these petitions often misrepresent their contents in order to procure names.

Friends of the initiative and referendum deny that fraud is exclusively committed by those who are paid for circulating

petitions. They allege that voluntary circulators are just as capable of the practices charged to hired solicitors. Regardless of the merits of the controversy between the defenders and opponents of paid circulation, it is obvious that this question bears on the technical perfection of the proposed measure very indirectly, if at all. It may be that if only voluntary solicitation of signatures were possible, fewer measures might appear on the ballot, but it is not evident that the measures eliminated would be the least perfectly drawn. It seems to me, therefore, that this subject is rather irrelevant to the question before your committee.

Another matter which has been very strenuously debated in initiative and referendum states is the manner of advertising initiated and referred measures. Those most interested in the success of direct legislation insist that unless measures and arguments for and against them are brought to the attention of the voters in a reasonably convenient way, the possibilities of the initiative and referendum cannot be thoroughly developed. This contention cannot very well be denied.

Merely to publish proposed measures in fine print in a regular edition of a newspaper of general circulation for a stated number of times must necessarily have but little effect in informing the voters as to the measures on which their ballots are to be cast. On the other hand, the circulation by the state of a pamphlet similar to that distributed by Oregon, cannot help but bring home to a certain percentage of the voters, whether large or small, intelligent information with respect to the nature of the questions which are to come before them. But here, again, while a well-informed electorate may vote more intelligently on measures, the fact that the voters are well-informed will not technically perfect measures which have already been initiated. It may prevent ill-considered and poorly-drawn measures from being adopted; that is the only possible effect it can have on initiative draftsmanship.

Coming now to the direct consideration of the drafting of initiated measures, it must be remarked at the outset that no systematic effort has been made in any state to safeguard the statute-books against ill-prepared direct legislation. Heretofore every suggestion to supervise the use of the initiative has been met by its friends as an attack on the principle of the initiative; and as the majority of the voters seem to regard both the initiative and referendum as so-called "popular" institutions, practically every effort to curtail the freedom with which they may be invoked has been unsuccessful.

In a number of states, however, the initiative procedure established in the constitutional provisions incorporating the initiative as a part of the state government tends to protect the state

against the adoption of wholly bad legislation. I refer to the indirect system of initiating as opposed to the direct.

Under the indirect initiative it is impossible to place a measure on the ballot by initiative petition, unless it has first been proposed to the legislature. If the measure is poorly drafted, the theory is that this fact will appear in the legislative discussion of it, and the result will be its decisive defeat at the polls. The states which restrict the initiative in this way are Maine, Michigan, Nevada, North Dakota, Ohio, and Washington. In these states the proponents of an initiative measure draft it, circulate their petition, and present it to the Secretary of State, whose duty it is promptly to refer the petition to the legislature. As a general rule the legislature is given 40 days in which to consider the measure. If the legislature enacts the measure as it stands the law is subject to referendum petition. It would, of course, require a separate referendum petition to bring it before the voters. If the legislature absolutely refuses to enact the measure as it stands, or in a modified form, in all of the states mentioned, except Ohio, it is the Secretary of State's duty to submit the measure to the voters at a subsequent election. If the legislature passes the law in a modified form, the general practice is to submit the amended measure and the initiated measure to the voters at the same time, and permit them to choose one or reject both of them. In Ohio when the legislature does not pass the proposed measure or passes it in modified form, a supplemental petition signed by electors who did not sign the original petition must request the submission of the proposed measure to the voters in order to have it placed on the ballot. If such a petition is circulated it may call for the submission of the initiated measure to the voters, having incorporated in it any amendments thereto which were introduced in the legislature.

Among the strongest objections which have been voiced against the initiative are that there is no opportunity for debate or deliberation upon initiated measures, and that the voters are often required to decide upon their adoption or rejection without having had any intelligent arguments either *pro* or *contra* to guide them. The indirect initiative certainly tends to avoid the dangers due to a lack of opportunity for debate and consideration involved in the use of the direct initiative, where the procedure is the drafting of the measure, the circulation of the petition, and the direct submission of the measure to the voters at a subsequent election.

It must be noted, however, that except in Ohio the indirect initiative is open to all the objections urged against the direct initiative, except that the legislative debate may bring before the public such objections to an initiated measure as to make its adoption practically impossible. In Ohio the provision which permits the proponents of the measure to incorporate in it suggested changes introduced in the legislature is an intelligent

plan to curtail the dangers of having poorly-drafted enactments written upon the statute books.

As previously stated, the adoption of the indirect plan of initiating measures is the only effort which has thus far been made to prevent badly drawn measures from being adopted. Obviously the precaution taken by this particular method of incorporating the initiative is very inadequate. But to any proposal that other safeguards be adopted, those responsible for the adoption of the initiative in any state always answer that initiative measures compare favorably with measures adopted by the legislature so far as draftsmanship is concerned. They point out that as a general rule the method of drafting measures of this sort is very much more careful than the method of drafting legislative measures, because the proponents of initiative measures are generally vitally interested in their adoption and will spare no effort to perfect them to the greatest possible extent before their proposal. Attention is called to such bodies as the People's Power League of Oregon and the Direct Legislation League of Colorado, both of which have proposed a comparatively large number of measures in their respective states. The Oregon People's Power League is constructed around Mr. W. S. U'Ren, whose intelligence and ability are not questioned even by his enemies. In the People's Power League an executive committee of about ten members plans the legislative campaign for any particular election. It rough-drafts the proposed measures and circulates them for suggestion and criticism. Subsequently, after the criticisms and suggestions have come in, the measure is gone over with a view to its technical perfection as well as to its improvement substantively. The measure is then brought directly before the voters inasmuch as Oregon has only the direct initiative. The Colorado Direct Legislation League is even more careful in its method of preparing measures. Under its constitution no measure can be initiated by the league unless it has been brought before three meetings of the entire membership of the league and passed three readings. In other words, the Colorado League is a voluntary legislature, all of whose members are presumably essentially interested in every measure which is proposed, because of the fact that an effort is made to have the league's endorsement of measures carry with it an assurance to the voters that the measure has been carefully considered and drawn, and is believed by the membership of the league to stand for sound principles, carefully and accurately expressed.¹

¹"Some of the measures prepared by the Colorado League have been criticised on the ground of obscurity and ambiguity. See address of Judge Jesse G. Northcutt, Vol. 16, Colorado Bar Association Reports, pp. 234, 251; and remarks of Mr. Ernest Morris, *Supra*, p. 37." W. D. L.

At the same time the most ardent friends of the initiative cannot deny the fact that although many measures are proposed by such bodies as the People's Power League and the Direct Legislation League, the initiative is open to all comers and any group or individual may place a measure on the ballot without having gone to any pains to have it skilfully prepared before its proposal.

As I understand the problem before your committee, it is the conception of a possible method of protecting the statute-books against ill-drafted initiative measures which may be written into law because of the fact that the large mass of voters are unable to determine for themselves whether a measure is well drawn or poorly drawn, technically speaking. There are several possible steps which may be taken in an effort to solve this problem. One possibility would be to require every initiated measure to be prepared by a state legislative reference bureau or drafting association, and to forbid the placing of any measure on the ballot not drawn by such an official department of the state government. To this suggestion the friends of the initiative would doubtless object that it is unfair to require the preparation of initiative measures in this way unless the same restriction is made to apply to measures introduced into the legislature. It would be contended, and could, doubtless, be proved, that the percentage of well-drafted initiative laws is as high, or higher, than the percentage of well-drafted measures introduced into the legislatures of the various states. The proposal would, therefore, be regarded as an ultra-conservative effort, not to assist the use of the initiative, but to throttle it.

If the suggestion of the Committee on Legislative Procedure of the Massachusetts Legislature should be adopted in states having the initiative, requiring every bill introduced into the legislature to have been prepared or revised by the state drafting bureau, there could certainly be no objection to requiring initiative measures to be prepared or revised by the same bureau prior to their initiation; and such a requirement should most assuredly be enacted into law.

If, however, it is not desirable to go so far as to require initiative measures to be prepared by a state drafting bureau, it would doubtless be possible to require state legislative reference bureaus to draft initiative measures if requested to do so by those proposing to place them on the ballot. This suggestion would not be open to the same objection as that previously mentioned. State legislative reference bureaus, as a general rule, are required to give members of the legislature any assistance requested, and to enlarge their sphere of activity by requiring them to prepare measures for those intending to use the initiative, could not be considered in any other light than as an effort to improve the quality of initiated measures.

What has heretofore been said referred to the initiation of laws as distinguished from amendments. The form of amendments is of even greater importance than the form of ordinary statutes. The suggestion that legislative reference bureaus be empowered and instructed to give their services to proponents of laws, should also be extended to include proponents of amendments.

In all the states except one, in which the initiative may be used to propose amendments, there is nothing to safeguard against badly-drawn initiated amendments. The indirect initiative does not apply to amendments. At least no constitution includes in its detailed provisions for the indirect initiative terms which would make it applicable to constitutional amendments as well as to statutes.

In only one state has the initiative been incorporated in the constitution with a view to safeguarding against the adoption of ill considered amendments. The constitution of North Dakota requires that after a proposed amendment has been submitted to the voters it shall be referred to the next session of the legislature. If it is agreed to by a majority of all the members elected to each house, it becomes a part of the constitution. If it is not approved by the succeeding legislature, it shall be resubmitted to the people at the next general election, and if then approved by the voters it becomes a part of the constitution. This modification of the usual form of the initiative as applied to constitutional amendments, can result only in the absolute rejection of a measure, or a two years' delay in its approval. There is no possibility of altering its form during the course of the time in which it is to be considered by the legislature and the voters. This procedure merely brings the adoption of constitutional amendments under the initiative in line with the old-fashioned method of constitutional amendment, which required two successive legislatures to propose an amendment before its submission to the electorate. If this plan were accompanied by something analogous to the Ohio system, allowing the amendment to be modified on a second submission to the voters so that technical flaws might be corrected, something might be said in its favor. However, here, as in the matter of initiated laws, any restriction of this character would be looked upon as a thrust at the initiative in states in which constitutional changes may be made by popular vote upon a submission by one session of the legislature. It would, perhaps, be very much better to apply the principle of the indirect initiative for statutes, to amendments, requiring an amendment to go first to the legislature and then to the voters. Of course the legislature could not finally incorporate a proposed amendment into the constitution, but it could propose a modified form of amendment to accomplish the same result, to be simultaneously submitted to the voters when they are called upon to vote on the initiated

measure. Under such a plan, the legislature could debate the proposal and expose any serious defects either in substance or in form.

To summarize, there seem to be but two feasible suggestions looking to the improvement of initiated laws and amendments. The indirect system of initiating should be established requiring both laws and amendments to go to the legislature before submission to the voters; and any state officer or bureau now authorized to assist the legislature in drafting measures, should be required to extend its aid to those desiring to use the initiative. Beyond this no practical suggestion occurs to the writer; but as the drafting of the legislative measures is aided and safeguarded by the extension of the duties and powers of legislative drafting bureaus, the same aids and safeguards should be applied to measures proposed under the initiative.

Respectfully submitted,

WM. A. SOHNADER.

REPORT
OF THE
COMPARATIVE LAW BUREAU.

To the American Bar Association:

The Board of Managers of the Comparative Law Bureau beg to present the following annual report as to the work and finances of the Bureau to June 1, 1915:

The Swiss Civil Code, translated into English by Robert P. Shick and annotated by the late Mr. Charles Wetherill of the Editorial Staff, has been published and is now being offered for sale by the Boston Book Company, the official publishers of the Bureau.

The Translation of the Argentine Civil Code, by Mr. Frank L. Joaninni, of Washington, D. C., is in the hands of the printer, and it is expected that it will be published at an early date.

The Civil Code of Peru is still in the hands of the Revision Committee, but it is hoped this will be published at an early date.

Most of the matter which would, under the former system, have been published as *The Annual Bulletin for 1915* appeared in the April number of the AMERICAN BAR ASSOCIATION JOURNAL. This has been sent to the several members of the American Bar Association, and members composing the State Bar Associations who are affiliated with the Bureau as members, and also to the various law libraries and other institutions having membership in the Bureau.

Hereafter the contributions of the Bureau to the transactions of the American Bar Association will appear in the AMERICAN BAR ASSOCIATION JOURNAL.

The financial statement is as follows:

INCOME.

Balance on hand June 1, 1914.....	\$289.01
Dues from members, Class B.....	880.10
Dues from members, Class C.....	194.00
Sales of back Bulletins	14.00
Advertisements in 1914 Bulletin.....	95.00
	<hr/>
Total	\$1472.11

EXPENDITURES.

International Printing Company on account of 1914 Bulletin	\$1300.00
Stationery, expressage and sundries during 1914.	94.33
	<hr/>
Total	\$1394.33

Balance in hands of Treasurer June 1, 1915..	\$77.78
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There is still a balance of \$1500 due on account of the expenses of publication and distribution of the 1914 Bulletin which the appropriation made by the American Bar Association will liquidate, when it is paid to the Bureau by the Association.

Respectfully submitted,

SIMEON E. BALDWIN, *Director*,
EUGENE C. MASSIE, *Treasurer*,
ROBERT P. SHICK, *Secretary*.

June 28, 1915.

REPORT

OF THE

SPECIAL COMMITTEE TO REPORT ON REORGANIZATION

To the American Bar Association:

Your undersigned special committee, appointed at the Montreal meeting, in 1913, to report on reorganization and methods of business of the Association, have conducted considerable correspondence during the past year with the Vice-Presidents of the Association for the several states, and with the Presidents of State Bar Associations, in order to find out what views are entertained in these representative quarters as to the subject assigned to this committee. The views were sought by means of a questionnaire, a copy of which is subjoined. The replies received disclose a wide diversity of views on all these topics. It is obvious that the subject assigned to this committee has been a frequent matter for serious reflection to a great many members of the Association. Your committee has exchanged views by correspondence during the year with its different members and has had two or three personal conferences. Thus far your committee has reached no conclusion, except as stated below. This was partly for the reason that the work of obtaining the views from representative members of the Association has proceeded very slowly; and your committee feels that it should in this respect not endeavor to bring its own views to an issue, until it has satisfied itself as to the support which various proposed measures might receive from the public opinion of the Association.

For that purpose, moreover, your committee desires to elicit further reflection and expression of views from members of the Association generally, and, with that view, has compiled in some appendices a collection of materials which will stimulate reflection. After these materials have been published and circulated in the October (1915) number of the JOURNAL of the Association, it will be in order for this committee to endeavor to reach some final conclusion on the topics discussed. Your committee

therefore reports progress, with the expectation that it will be able to submit a final report to the Executive Committee in ample season before the annual meeting of 1916.

On a single matter your committee has already reached a conclusion, viz., that the time allowed for the various meetings that are now held in connection with the annual meeting is too short. It recommends that the Association revert to the old practice, which occasionally obtained up to about eighteen years ago, of allotting *four* entire days to the annual meeting, instead of three entire days, as at present. A glance at the programs of the 1914 and 1915 meetings shows that out of nine units of time (morning, afternoon and evening) represented by the three days, less than three units in all were allotted to the hearing and deliberation on the reports of sixteen standing committees and eight special committees, as well as miscellaneous business—an amount of time wholly inadequate. Moreover, of the four sections of the Association, only one unit of time is generally allotted to each, and all four are usually made to meet simultaneously. In these and other ways there is evidently a need for the enlargement of the total time from three days to at least four days.

In view of the necessity of making arrangements for the meeting in 1916, your committee respectfully recommend that the Executive Committee elected in August, 1915, follow the above recommendation, in making plans for the annual meeting of 1916.

Respectfully submitted,

JOHN H. WIGMORE, *Chairman.*

JACOB M. DICKINSON,

STEPHEN S. GREGORY,

WALTER GEORGE SMITH,

FRANCIS RAWLE.

QUESTIONNAIRE.

A. EXTENSION OF MEMBERSHIP.

(a) 1. Do you believe that the American Bar Association membership should be enlarged, and how far?

(b) 1. Do you believe that the organization of the American Bar Association membership is inadequate, and if so, in what way?

2. Do you believe that some sort of a federation of the membership (like that of the American Medical Association) for National, State, County and City Associations, is desirable; and if so, by what method?

3. Apart from the specific measure of federation, what additional or alternative measures do you propose for extension of membership, for relation of membership to the Bar at large, and for handling of membership on a large scale?

B. IMPROVEMENT OF PROCEDURE.

(a) What are your views as to the shortcomings, if any, in the present method of committee deliberations, in respect to securing thorough consideration and finality of settlement of the topics committed? And what proposals, if any, do you offer for improvement?

(b)(c) What are your views as to the shortcomings, if any, in the present method of discussing and settling the recommendations of committees at the annual meeting? And what proposals, if any, do you offer for improvement?

(d) What are your views as to the shortcomings, if any, of the present method of dealing with resolutions or measures approved at the annual meeting, and affecting the law or procedure, or other matters, in such a way as to call for later action by some agency of the Association? And what proposals, if any, do you offer for improvement?

(e) If you favor some change, what proposal, if any, do you make for separating the internal management of the Association, the financial affairs, and the purely professional or legal views, of the Association, on lines analogous to those adopted by the American Medical Association in 1902?

(f) What additional or alternative measures of any sort do you propose for this general purpose of improving the Association's method of transacting business?

REPORT
OF THE
COMMITTEE ON REPORTS AND DIGESTS.

To the American Bar Association:

Your Special Committee on Reports and Digests is unable to make a definite or complete report at this time.

After being advised of our appointment, on June 2 the Chairman communicated with the members of the committee relative to the subject entrusted to us. It has been impossible even to hear from all members of the committee, 15 to 42 not having replied to letters sent them. Considerable data is being gathered. Additional data is promised by other members of the committee, but is not yet available. The constitutional and statutory provisions of the various states differ, and few suggestions of value can be made without knowledge of such provisions.

There can be no question as to the importance of the subject before us, and probably no more important problem is before this Association.

Investigation of reports shows that the average length of opinion has increased nearly 30 per cent during the last 20 years. It requires no specification of instances to convince the practitioner of the duplication in the printing of opinions in different sets of reports and compilations, while the number of digests is so great that few, if any, practicing lawyers could name them all. We are of the opinion that it will be necessary to conduct a campaign of investigation and education so that the views of the Bar may be ascertained and harmonized. It will be necessary to obtain a general agreement upon fundamental reforms before much can be accomplished. Co-operation with state and local associations on this line will undoubtedly be necessary. In some states, the delay in publishing the official reports gives opportunity for concerns to publish such opinions in advance, and thereby obtain subscriptions to their output from the profession. Of course, the official reports must be purchased, and thereby lawyers in such jurisdictions must carry the burden of paying for

the same thing twice. Some members of the committee think the courts ought to refuse to pay any attention to citations other than from official reports, while others think it advisable that we should recommend such unofficial reports as have been found generally serviceable.

The committee is of the opinion that an appeal should be made to the lawyers themselves to pave the way for shorter opinions by arguing in preparing their briefs only the points relied upon and making their briefs as concise as possible. It is thought this will aid materially in reducing the length of the opinions and in inducing the judges to write better opinions.

The committee further seems to be of the opinion that every judge of an appellate court should be respectfully but earnestly urged to write shorter opinions in most cases. Where required to state the facts, only the ultimate facts should be stated and not the process of elimination by which those facts are determined. Then the principles of law applicable to such facts should be stated, and, except in rare instances where the historical development of law is involved or some new principle is evolved and announced, only the principle of law should be stated and not the process of reasoning by which that principle is found to apply, including long, and in most cases unnecessary, citations from authorities or long lists of authorities. Then the result or conclusion should be concisely announced. In other words, the form of opinions to be kept in mind should be that of a syllogism, of major and minor premise and conclusion.

The questions involved in consideration of this subject are varied and some of them very difficult to answer. Your committee submits that the matter is of sufficient importance to justify the continuance of a committee, either the present or another one which should be promptly appointed, and that a sufficient appropriation should be made to cover the expense of compiling data upon the subject and enabling the committee to meet during the year in time to prepare and print a full report for the next meeting of the Association.

Respectfully submitted,

THOMAS H. REYNOLDS, *Chairman.*

REPORT

OF THE

COMMITTEE ON NOTEWORTHY CHANGES IN STATUTE LAW.

To the American Bar Association:

Prior to its amendment in 1913, the Constitution of the Association required the President to open the annual meeting with an address, "in which he shall communicate the most noteworthy changes in statute law on points of general interest made in the several states and by Congress during the preceding year." By an amendment adopted by the Association in 1913, the President was relieved of the task of reviewing the growing mass of current legislation and no such review was presented to the Association in 1914.

Your committee to review noteworthy changes in the law contained in current legislation was appointed in pursuance of a resolution of the Executive Committee at its meeting in January of this year.

This report, as finally revised, covers all legislation adopted at the regular and special sessions in 1915 and available on October 20. At that time the regular session in Georgia had not adjourned and some of the laws passed at the regular session in Alabama were not available.

At the regular 1915 sessions in 43 states there were introduced in rough numbers 58,600 bills and in the three sessions of the 63d Congress 29,400 bills. It appears from the table which we have submitted with this report (Appendix B) that the legislative mill in 40 states ground out of this mass of bills over 16,000 separate statutes. Of these, governors vetoed more than 1000, leaving in rough numbers 15,000, which became laws. The governor's axe was particularly active in California, New York and Pennsylvania where 225, 223 and 211 bills respectively were vetoed. It is, of course, true that a great majority of these statutes were local, special or comparatively unimportant, but a large number of general statutes have been added to our law. The quantity and importance of these general laws make a comparative current review of their provisions not only useful to members of our Association, but also of value to various

individuals and organizations interested in the progress of the law. Your committee has, therefore, not limited the review herewith submitted to statutes of particular importance to lawyers but has included a large number of other statutes relating to current sociological, economic and governmental problems.

Individuals and organizations interested in reforms through legislation are apt to look to an association of lawyers for the interpretation of the scope and importance of current statutory changes in the law. Other than the Association's review, we have in this country no comparative summary of our legislation. The Association's Bureau of Comparative Law confines its work to foreign law. The English Society of Comparative Legislation publishes a *Journal of Comparative Law* in which a very brief space has heretofore been devoted to legislation in the United States. We have several reviews of particular fields of legislation, as for example, labor laws, insurance laws, and tax laws, but none which deals with matters of greater interest to the lawyer, as for example, judicial organization and procedure, codification or amendment of common law principles, etc.

In the preparation of the review of this year's legislation (Appendix A) your committee has assumed that its duties were limited to an interpretation necessarily brief and general, but we trust accurate, of the nature and effect of the most important general laws enacted by Congress and the state legislatures. We have tried to make for the practicing lawyer and the student a record of the progress of the law by legislation.

Instead of assembling the statutes by states, we have endeavored to classify them by subject matter on the theory that readers will be interested in what was done in all the states on a particular subject rather than in a particular state on all subjects. We have, however, in every instance, indicated the state in which a statute noted was enacted and wherever possible, have cited the chapter or page. Numbers appearing in parenthesis after the name of the state without any explanation are chapter numbers. Pages or numbers are given only where there are no chapter numbers.

A few of the statutes noted in the review deserve special mention. Practice acts in Pennsylvania, Michigan and Vermont are significant in that while modifying and simplifying existing procedure and departing from the strict procedure of the common

law, none of them adopts the code system. Nor is either of them as radical as the New Jersey Practice Act of 1912 which places entire control of procedure in the hands of the courts themselves. The New Jersey Chancery Act of 1915 does much the same thing for the chancery courts as the act of 1912 did for the law courts. Unquestionably the tendency of procedure reform is to take the whole question of procedure out of the field of legislation and put it into the hands of the courts and the Bar to be exercised through a system of rules of court judicially adopted.

Another significant provision is contained in the Michigan, Minnesota and Wyoming acts allowing judgment to be entered in favor of the party who, on the record, appears entitled thereto, notwithstanding a verdict for the other party. The advantage of this system, of course, is that it obviates the necessity for a new trial where it is clear on the facts what the result of such a trial would be. This practice has been upheld by the courts of six or seven states, although excluded from the federal courts by the decision in the *Slocum* case two years ago. In the discussion which has followed that decision, the best opinion of the American Bar seems inclined to agree with the view taken by the minority of the court. Not only have these statutes adopted the practice condemned in the *Slocum* case, but there is noticeable, particularly in a Massachusetts act, an effort to overcome the constitutional objection raised by the United States Supreme Court.

The relation of the federal government to the states is involved in acts of Congress more important than they might appear on first notice. One of them, adopting in modified form the recommendation of a committee of this Association made two years ago, authorizes the Supreme Court of the United States to review on certiorari decisions of the supreme courts of the states holding state statutes unconstitutional because of conflict with the constitutions, treaties or laws of the United States. Heretofore there has been no review of such decisions because the statute having been declared unconstitutional, and therefore unenforceable in the state courts, no one was deprived of any rights which he might ask the United States courts to vindicate. In a few instances at least the effect was lack of uniformity in the several states. One supreme court might hold a workmen's compensation law contrary to due process under the 14th amendment and therefore

unconstitutional, while another state court might hold similar legislation consistent with the due process requirement and constitutional. It may be that the importance of this possibility was exaggerated but the change undoubtedly removes one of the causes of persistent criticism of the exercise of judicial power to declare statutes unconstitutional. The act may, however, have an increased importance if the movement to amend or limit the due process clause in the state constitutions progresses. In that event much of the police legislation whose constitutionality depends on the due process clause will, if declared unconstitutional in the state courts, involve the 14th amendment and permit of a review by the United States Supreme Court. This is the result aimed at by proponents of progressive legislation who believe the Supreme Court more sympathetic with their views than many of the state supreme courts.

Other acts of Congress illustrate an important movement for an extension of the federal power. Lawyers in and out of Congress have been debating the constitutionality of extending the federal power under the commerce clause by excluding articles from such commerce. Indeed, the House passed at the last session the Child Labor Bill excluding from interstate commerce articles which are the products of child labor. Little attention, however, has been given to an equally important method of extending the regulatory power of Congress. The federal taxing power has always been held to include the power to destroy. Until recent years, however, it has seldom been used as an indirect method of regulating local matters. A few years ago an act of Congress put a prohibitive tax on poisonous phosphorous matches, thereby destroying the industry purporting to be taxed. Of course, no revenue can be derived from this tax because it is unprofitable to manufacture the poisonous match and pay the tax. The only effect of the act was to prevent an occupational disease, the direct regulation of which would have required state rather than federal action. At its last session, Congress passed two similar acts. One known as the "Cotton Futures Act"¹ sets up standards for contracts for future

¹ Held unconstitutional by Judge Hough in the U. S. Dist. Court, N. Y., on Oct. 13th, because it originated in the Senate, contrary to the Constitutional requirement that revenue bills originate in the House.

delivery of cotton and puts a prohibitive tax on contracts which do not conform to these standards. The other regulating dealing in opium puts a tax on dealers, and on the tax and its collection founds a system of regulation of the business. However desirable the results effected by the use of the federal taxing power in these particular instances it is easy to see its possible consequences in disturbing the balance of state and federal powers provided by the Constitution.

In most instances the preparation of the review has involved a page by page search of session laws. In some instances the committee has had the benefit of carefully prepared summaries and estimates by the Association's local vice-presidents of important legislation in their respective states. Unfortunately, this has been the exception rather than the rule. It is obviously a difficult task to secure copies of current statutes early enough in the year of their enactment to permit of a search of their pages and a careful estimate of the scope and effect of the general enactments in time to present the results to the Association early in August. The only way in which a useful review can be prepared without too much burden on those who undertake it is by co-operation of local legislators or members or officers of the Association, with a committee whose responsibility is to see the review completed. The committee has not been able this year to make such arrangements for keeping in touch with legislation during the legislative sessions. We believe, however, that it is possible, without unreasonable effort, to gather, as the session progresses and have ready shortly after its termination, an accurate estimate of the general laws enacted. We believe that the Association should continue a committee for this purpose because the progress of the law, by legislative change, is of great interest and value to the practising lawyers and the law teachers in the membership of the Association, and we believe that a careful interpretation of the effect and the tendencies of current legislation to the layman is an important duty of an association of lawyers.

THOMAS I. PARKINSON, *Chairman*,
WILLIAM H. LOYD,
DONALD R. RICHBERG.

APPENDIX A.

REVIEW OF LEGISLATION OF 1915.

A. ADMINISTRATION OF JUSTICE.

1. Federal Courts.

Two important acts, relating to this subject, were passed by the third session of the 63d Congress. Chapter 90, recommended by the American Bar Association, provides that if a suit at law is brought in equity or vice versa the court shall order the necessary amendments and the case shall proceed as if rightly brought, and testimony if preserved shall stand. The act also permits equitable defences in actions at law. Its importance will be realized when it is remembered that heretofore law and equity have always been kept entirely separate and distinct in the federal courts. This act also permits in district courts amendments of defective allegations of diverse citizenship if such diverse citizenship in fact existed at the time the suit was brought or removed from the state court.

Chapter 2 provides that the Supreme Court may require by certiorari or otherwise any case to be certified from the highest court of a state for review and determination with the same power and authority as if carried up by appeal or writ of error, although the decision was in favor of the validity of a treaty or statute or authority exercised under the United States, or against the validity of a state statute or authority claimed to be repugnant to the Constitution, treaties or laws of the United States, or in favor of a title, right, privilege or immunity, claimed under the Constitution, or a treaty, statute, commission or authority of the United States.

2. General Practice Acts.

Important practice acts were passed in Pennsylvania (202), Michigan (314) and Vermont (90). The Pennsylvania act was drafted by a committee of the State Bar Association, while the Michigan and Vermont acts were the work of commissions appointed for that purpose. To simplify procedure and expedite the final determination of a case is the common purpose of these acts. None of them adopts the principles of code pleading, but each is

a further modification or evolution of the modified common law systems which have always been in use in these states. The Michigan and Vermont acts abolish all the common law forms of action, except assumpsit, trespass, replevin and ejectment (assumpsit and trespass being called contract and tort in Vermont), a step taken in Pennsylvania nearly 30 years ago. Both of these acts as well as a Wisconsin act (219) permit liberal amendments so that substantial sufficiency takes the place of technical nicety of form, and they also expressly provide that an action at law may be so amended or transferred as to become a bill in equity or vice versa. The Michigan act also adopts the practice long established in Pennsylvania that summary judgment may be rendered in contract actions on the plaintiff's affidavit of claim, unless the defendant files an affidavit of merits or defense. A somewhat similar provision applying to actions arising out of contract, whether in equity or at law, is found in Chapters 74 and 78 of the laws of West Virginia.

The most notable feature of the Pennsylvania act, which applies to all actions in contract or tort, except actions for libel and slander, is its extension of the use of the affidavit of defense. The act abolishes special pleadings and demurrers, extends the affidavit of defense (which has always been a characteristic and essential part of an action of assumpsit in Pennsylvania but never considered a pleading) to all actions, and confines the pleadings to the plaintiff's statement, the affidavit of defense, and, in cases in which a counterclaim or set-off has been pleaded, the plaintiff's reply thereto. Mere general denials in an affidavit or reply are insufficient, and each party must answer specifically each allegation of fact, the truth of which he does not admit. Under the present practice in assumpsit it is very usual for judgment to be entered by the prothonotary for want of an affidavit of defense or by the court for want of a sufficient affidavit; but, as recognized in the act, this practice will seldom be practicable in trespass, because the amount of the judgment can seldom be determined from the plaintiff's statement and provision is made that in such actions, on failure to file an affidavit of defense, the case shall be deemed to be at issue, but certain specified facts shall be taken to be admitted.

3. Judgment Notwithstanding Verdict.

Another Michigan act (217) provides that where at the close of testimony a motion is made for a directed verdict and is denied, the trial court on motion, or the appellate court on appeal, may render in favor of the party lawfully entitled thereto a judgment notwithstanding the verdict. Chapter 31 of the Minnesota laws is very much to the same effect, and Chapter 133 of the Wyoming laws provides that where, upon a trial a case presents only questions of law, the judge may direct the jury to render a verdict subject to the opinion of the court, and may at the same term set aside the verdict and direct judgment for either party with like effect and in like manner as if such direction had been given at the trial. These acts, in connection with a Massachusetts act of which mention is about to be made, probably represent the most important single tendency in the legislation of the present year relating to the administration of justice.

The Michigan and Minnesota acts follow the practice which has been sustained by the courts of some six or seven states; but which was, by the vote of a single judge, held unconstitutional as applied to the federal courts in *Slocum vs. Insurance Company*, 228 U. S. 364. The strong dissenting opinion of Justice Hughes, however, has aroused much favorable comment and it is notable that the Supreme Court of Massachusetts has, since this decision, unanimously upheld the constitutionality of this practice in *Bothwell vs. Railway*, 115 Mass. 467. Massachusetts, has, however, gone even further and has added to its legislation a provision, which it is thought, will overcome the objection discovered by the majority of the Supreme Court. The only difficulty which the majority of the court found insuperable—the lack of a verdict of a jury—is probably met by the provisions of Chapter 185 of the Massachusetts laws to the effect that:

“When exceptions to any ruling or direction of a judge shall be alleged, or any question of law shall be reserved, in the course of a trial by jury, and the circumstances shall be such that, if the ruling or direction at the trial was wrong, the verdict or finding ought to have been entered for a different party or for larger or smaller damages or otherwise than as was done at the trial, the judge may reserve leave, with the assent of the jury, so to enter the verdict or finding, if upon the question or questions of law so

raised the court shall decide that it ought to have been so entered."

As this leave is reserved at the trial and by the consent of the jury the verdict finally entered pursuant to the leave is the jury's verdict. This practice has already been followed in the United States District Court in that state. Insofar as practice in the federal courts is concerned the Wyoming act is perhaps not so open to the objection sustained in the Supreme Court in the Slocum case as are the Michigan and Minnesota acts.

4. Equity Practice.

The New Jersey "Chancery Act of 1915" (116) is probably the most important passed this year affecting equity practice. It is based largely upon the English rules under the judicature act and the new equity rules of the United States Supreme Court. The act is very short and probably its most important provision is that giving the chancellor additional power to prescribe rules, "to give effect to the provisions of this act, and otherwise to simplify procedure in the Court of Chancery. Such rules shall supersede (so far as they conflict with) statutory and other regulations heretofore existing."

Act No. 381 of the Pennsylvania laws makes a radical change in the theory of equity practice although its practical effect may not be so great. The act provides that a suit in equity may be begun as in an action at law by summons without first filing a bill. It might be noted in this connection that, while a bill in equity may be served by any one, a summons must be served by the sheriff.

5. Appeals.

Another Michigan act (89) prohibits setting aside a verdict or granting a new trial on account of mere technical errors, and a Montana act (149) simplifies procedure on appeals to the Supreme Court.

Chapter 111 of the Massachusetts laws, relating to the dismissal of frivolous appeals, provides that whenever an appeal is claimed after the entry of a decree following a rescript from the full Bench of the Supreme Judicial Court in equity or probate proceedings, the justice by whose order the decree was entered

may order the appeal dismissed if, in his opinion, the decree conforms to the terms of the rescript and the appeal is claimed for purposes of delay. If a further appeal is claimed from an order so dismissing an appeal it shall not operate to suspend or supersede the carrying into effect of the terms of the decree.

6. *Service of Process.*

Of the acts relating to the service of process Montana (22) provides that if none of the persons named in the act can be found within the state service of a summons against a corporation may be made upon the Secretary of State, who shall accept on behalf of the corporation. North Carolina (48) authorizes the service of "subpoenas and summonses for jurors" by telephone.

7. *Trial.*

A number of acts relate to trial of cases. Perhaps the most radical of these is in Pennsylvania (367), which authorizes in any action at law a written demand by either party for a jury trial and further provides that if neither party files such a demand, he shall be deemed to forfeit "his right and the court shall proceed to try the cause without a jury." A California act (403) adds as new methods of waiving trial by jury in certain actions a failure to announce at a given time that a jury is required and a failure to deposit the jury fees. South Dakota (241) provides for a verdict by five-sixths of a jury in civil cases.

Nebraska (147) passed another radical act. It provides that every litigant shall be deemed to have excepted to any judgment, order or other ruling made at any stage of a case or proceeding, and material and prejudicial to his substantial rights, and that he shall not be required, in order to preserve his rights, to actually take or cause to be noted upon the record any such exception. This permission to raise objections not noticed at the trial seems to open the way to the multiplication of appeals. Less open to criticism is Chapter 245 in the same state, which provides that where an objection to the admission of testimony has been made once and overruled by the court, it shall be unnecessary to repeat the same objection to further testimony of the same sort by the

same witness in order to save the error, if any, in the ruling of the court whereby such subsequent testimony is received.

A Wisconsin act (219) provides that a defendant showing by affidavit that if held liable he will have a right of action against a third party who is not a party to the action may make the third party a party defendant in the same suit. The act expressly provides for its liberal construction so that as far as possible all closely related controversies may be disposed of in one action even though in a strict sense there are two controversies.

Of acts relating to the competency of witnesses and the admissibility of evidence, Minnesota (283) provides that abstracts of title duly certified by a bonded abstractor or by a registrar of deeds may be introduced in evidence in actions in which the title to land is in controversy. In this connection it might be noted that Montana (43) makes it a misdemeanor to compile abstracts of title for compensation without first filing a bond for the protection of any person dealing with the abstractor. An Illinois act (page 440) provides that the handwriting of a deceased or absent person may be proved by the comparison of specimens of such person's handwriting whether such specimens are relative to the issue or not.

Acts passed in Kansas, Missouri and Oklahoma provide that a continuance shall be granted whenever a party or attorney is serving as a member of the legislature; and the Oklahoma act even goes so far as to provide that a refusal to grant such a continuance shall constitute an error and entitle the party to a new trial as a matter of right. These acts are in marked contrast to the English practice where such continuances are never granted. American courts have always been lenient in the matter of continuances on the grounds of public engagements and it would seem that the legislators have gone out of their way to provide for their own convenience at the expense of the speedy administration of justice.

8. New Remedies.

The acts providing new remedies are not of great importance, but a few deserve mention. Nebraska (210) creates a physician's lien against any party, except claimants under the workmen's compensation act. Montana (23, 25) provides for liens upon

growing crops and grain for the price of seeds furnished for the production of such crops and for the compensation of threshermen. Utah (67) amends the sections of the civil code relating to the specific performance of contracts so that such sections will also cover contracts in writing to sell or deliver personal property, securities and other choses in action. New Jersey (224) authorizes the garnishment of wages for debt where the wages amount to \$18 a week. Ohio (175) authorizes the attachment of the amount covered by an insurance policy for injury or damage to person or property on an execution of judgment for damages or injury to the person or property covered by the insurance.

A Missouri act (page 268) provides that in an action for damages against joint tort-feasors the plaintiff may settle with and discharge and release from further liability any of the defendants without impairing his right to demand and collect the balance of the claim from the other joint tort-feasors. A provision in this act, that the defendants in such a judgment shall be subject to contribution and other consequences of such judgment in the same manner as defendants in a judgment founded on contract, is a radical departure from the generally accepted principles of law. The act gives a release a standing in a tort case which heretofore it had only had collaterally as an incident of covenant not to sue.

Massachusetts (87) provides that a failure to comply with the laws relating to the regulation and equipment of motor vehicles shall not be a defense in actions of tort. This act is designed to protect the rights of innocent passengers in motor vehicles, and to remedy the situation created by a series of decisions to the effect that any person riding in an automobile, the operation of which did not in every respect comply with the law, was a trespasser on the public highways, and entitled only to the rights of a trespasser.

South Dakota (153) provides that before any action for libel other than a libel of a female can be brought against a newspaper the plaintiff must give at least three days notice, and if the statements were published in good faith and a retraction is made, as prescribed by the act, punitive damages cannot be recovered.

Act No. 140 of the Vermont laws is an interesting example of an attempt to remedy a serious complaint that persons suffering

damages done by floating lumber had been unable to get reasonable satisfaction in the hands of the courts. Jurisdiction of the assessment of such damages is transferred to the public service commission, and the act provides that its finding shall be final and without appeal and shall be entered upon the court records as a judgment.

A curious and unnecessary statutory requirement is found in a Pennsylvania act (No. 138) which requires that in every county containing more than 40,000 persons who immigrated from Germany, *or* more than 40,000 persons who immigrated from Italy, *or* more than 40,000 Yiddish speaking persons who immigrated from Europe, legal notices required to be published in a newspaper in the English language, shall also be published in one German daily newspaper, *and* one Italian daily newspaper, *and* one Yiddish daily newspaper. An attack upon the constitutionality of this act has already been sustained in the lower courts.

9. Probate Courts.

The most important legislation affecting practice and procedure in probate matters is a Massachusetts act relating to proceedings in probate courts and a Texas act relating to wills probated in another jurisdiction.

Massachusetts (151) changes in many respects the proceedings in the probate courts and gives such courts jurisdiction as in equity of many rights and duties. Legacies may be recovered and claims may be enforced in the probate court in the same manner as under a decree in equity. An interesting feature of the act is that power is conferred upon the Supreme Court to fix by rule from time to time the rate of interest to be allowed upon pecuniary legacies.

Texas (69) authorizes an executor under a foreign will to sell and convey without any further order from a court of that state real and personal property situated in the state when authorized to do so by the will, if such will has been properly probated in a court having jurisdiction thereof. This act, which also validates all such sales and conveyances heretofore made, is novel in its terms and should be warmly welcomed by the practicing lawyer who has often had occasion to realize the lack of interstate comity in this field of the law. A Delaware act (224), which provides

that a will of a non-resident, admitted to probate outside the state, shall be admitted to probate in the state when a verified certified copy of the record of its filing has been recorded within the state, is also a step in this direction.

Utah (69) provides that court orders for the sale of real property may allow such sale to be made on credit if in the opinion of the court it is beneficial to the estate.

Kansas (218) requires executors and administrators to make final settlement before the probate court within 30 days after the expiration of two years from their qualification under penalty of the assessment upon them of all costs connected with the settlement on a citation by the court.

Chapter 383 of New Jersey, which authorized dispensing with publication and notice when the personal estate is not more than \$500, is an example of a tendency to dispense with formalities in the case of small estates.

10. Crimes and Criminal Procedure.

There was little legislation of importance in the field of criminal law. A Connecticut act (No. 71), which seems an extraordinary extension of interstate comity and at the same time of doubtful constitutionality, provides that a judge or justice of the peace may compel a witness living in that state to appear as a witness in a criminal suit in another state; and No. 82 in the same state provides that no criminal prosecution shall fail because the evidence disclosed the crime to have been committed in the town or county adjoining that alleged in the indictment. Hawaii is the first jurisdiction to enact (215) the draft of rules governing the form, content and amendment of indictments, prepared by Dean Mikell, of the University of Pennsylvania Law School, as a contribution toward the simplification of criminal procedure. A California act (452) permits the charging in the same indictment or information of two or more different offenses "connected in their commission" or of the same class of crimes or offenses. Utah (113) amends in detail the code of criminal procedure, but the most apparent change is an evident tendency to impose time limits so as to hasten the course of a prosecution.

Kansas (87) requires prosecuting officers to conduct John Doe investigations, and, if the testimony discloses an offense against

the laws of the state to prosecute the offenders and file a complaint or information which, with the testimony, when verified by the prosecuting officer on information and belief, is to have the same effect as if verified positively, and the warrant shall be issued as in other criminal cases. The scope of the act is very considerably limited through its final proviso, which appears in the act within quotation marks, that it applies only to the requisition of fugitives from justice.

Acts were passed in North Dakota (page 35) and Indiana (14) relating to the transfer of prosecutions from one judge to another. The Indiana act contains a novel provision, permitting the prosecuting attorney and the defendant to agree in open court upon some judge or member of the Bar of any court of the state, and compelling the judge in such a case to appoint that person as judge in the trial. But in the absence of an agreement, if the judge on the Bench is disqualified, or for any other reason unable to serve, the court in five days shall nominate five competent and disinterested persons, each a judge or member of the Bar, the prosecutor and the defendant may each strike off two names from the list presented by the court and the remaining nominee shall serve as judge.

Several interesting acts were passed relating to the rights of defendants and accused persons. Chapter 124 of the North Carolina laws makes it a misdemeanor for any officer to require any person charged with a criminal offense to appear in court for trial in any other apparel than ordinary civilian's dress or with head shaved or cropped, unless so shaven or cropped while the person was serving a term of imprisonment for the commission of a crime. Chapter 157 of the Nevada laws adds to the law making a defendant in a criminal case a competent witness for himself a proviso to the effect that no special instruction shall be given relating exclusively to the testimony of the defendant or particularly directing the attention of the jury to the defendant's testimony. An Ohio act (page 208) makes it a misdemeanor for any one having the custody of a person suspected or accused of a crime to refuse to permit such person to consult privately at any reasonable hour with an attorney-at-law for the purpose of enabling such person to employ such attorney, or with an attorney employed by such person. Chapter 96 of the New Hampshire

laws amends the juvenile court act so as to prohibit publication even of the names of juvenile offenders, publication of proceedings having already been prohibited. No. 826 of the Alabama laws permits husband and wife to testify either for or against each other in criminal cases.

Act No. 214 of the Pennsylvania laws requires magistrates, upon the preliminary hearing of a person charged with any but the most serious crimes and misdemeanors, to hear on his demand the accused or witnesses in his behalf. The acknowledged purpose of this latter act is to give persons arrested on charges of a sort which are very apt to be dropped at a later date an opportunity to get their side of the story into the newspapers at the same time as the original publication of the charges brought against them.

The death penalty was abolished in North Dakota (page 85) Oregon (page 12, Constitutional Amendment), and South Dakota (158), except that under the North Dakota act a person convicted of murder in the first degree, while under a life sentence for the same crime, may be punished by death. The North Dakota act, which provides that the punishment for murder in the first degree shall be life imprisonment also provides that no person shall be eligible to pardon, except in cases in which the Pardon Board is satisfied of his innocence, until he shall have been confined in the penitentiary for 50% of the time of his life expectancy as based on the Carlisle tables of mortality. Chapter 65 of the New Hampshire laws provides that if a jury finds a defendant guilty of murder in the first degree the punishment shall be life imprisonment unless the jury adds the words "with capital punishment." If the defendant pleads guilty of murder in the first degree the court may impose a sentence of imprisonment for life or submit to a jury the question whether it shall be imprisonment for life or capital punishment. Chapter 87 of the laws of Wyoming authorizes the jury in cases involving capital punishment to qualify their verdict by adding thereto "without capital punishment," and an Arkansas act gives the jury a similar discretion.

Chapter 339 of the Kansas laws provides that no defendant acquitted on the ground of insanity shall be liberated except on an order of the State Board of Correction that he is wholly re-

stored to his right mind and that no one will be injured by his discharge. Laws providing for indeterminate sentences were passed in New York (579) and Montana (13), and the New York act and Chapter 1156 of the Rhode Island laws also provide for the parole of prisoners. An advisory pardon board to assist the Governor at his request was established in California (260). The Kansas act (249) makes it a misdemeanor to expose or threaten to expose a paroled or discharged prisoner as such in order to extort money or prevent his obtaining employment.

11. Organization and Administration of Courts.

Chapter 93 of the New Jersey laws, an act recommended by the State Bar Association, creates a Council of Judicial Procedure, consisting of the Chancellor and one Vice-Chancellor named by him, the Chief Justice and one Associate Justice named by the Supreme Court, the Attorney-General and three counselors at law designated by the Governor. It is the duty of the council to consider the operation of and defects in the statutes and rules of court relating to judicial procedure and report thereon to the Governor and the legislature, and, at least once in every two years, to recommend any amendments, additions or alterations which in their judgment are expedient.

A Michigan act (213) to expedite judicial administration which provides for the election of a presiding circuit judge to apportion the work of each circuit and a Missouri act (page 251), which makes the judges of each court a commission for their respective court to select the opinions to be published in the official reports of the state and to supervise the preparation of the syllabi of those opinions, seem commendable steps in the right direction. A Nebraska act (164) relieves the Supreme Court from writing opinions except in cases involving new points of law or those which are reversed.

Chapter 284 of the New York laws amends the New York City charter by abolishing the office of coroner and creating in its place that of chief medical examiner. The New York Industrial Commission Act also makes an interesting change in the jurisdiction of the courts and one which is in accord with the most advanced ideas in the field of labor legislation. This act provides that the question of the validity of any provision of the

labor laws or of any rules or orders made thereunder cannot be raised as a defense but can only be tested in a special action for that purpose to be brought in the Supreme Court, and in the case of rules and orders such an action can only be brought after petition and hearing before the Industrial Commission, thus making available for the courts a full investigation of the matters involved.

Chapter 207 of the Kansas laws is a curious act which seems at first blush to fall almost in the category of freak legislation. It provides that each of the seven positions of the judges of the Supreme Court shall be given a number, and that each number shall constitute a separate office for purposes of nomination and election. No votes are to be counted for a candidate except those cast for him for a particularly numbered office. An amendment to the Oklahoma constitution is proposed (S. J. R. No. 22) so that a jury in courts of record will consist of eight men in all cases other than capital offenses, and of six men in county courts and courts not of record.

Chapter 327 of the laws of Oregon, creates a small claims department of each district court with concurrent jurisdiction of claims for not more than \$20. The practice and procedure are most informal; attorneys are not to take part in cases; and the total fee to be charged the plaintiff is fixed at 75 cents. This act more nearly approximates the English method of having a branch of the court handle such matters rather than creating a separate court, as has been done in a number of American states, and is favored by those who think that judicial reform along this line should be in the direction of the concentration of all jurisdiction in a single court operating through various branches.

A Nebraska act (165) shows another phase of the effort to improve the methods of the administration of justice. This act creates in counties having a population of 100,000 or more the office of public defender to defend all persons charged with any offense which is capital or punishable by imprisonment in the penitentiary who are unable to procure counsel. The limitations provided in this act suggest the question whether, as has already been brought out in the report of at least one public defender, there is not even greater need of such an office for the defense of those charged with petty offenses.

12: Attorneys-at-Law.

Massachusetts is one of the states in which the rules governing the admission of attorneys are largely controlled by legislation. The law authorizes the Board of Bar Examiners to make rules, but these are sometimes changed by the legislature, and this year, in answer to the new rules of the examiners requiring all applicants to take a preliminary examination of a general character, the legislature has enacted (249) that an applicant who is a college graduate or who has complied with the requirements of a day or evening high school or school of equal grade shall not be required to take an examination as to his general education. This act is regarded in some quarters as an unfortunate interference with the endeavor of the board to raise the standard for admission to the Bar. Along somewhat the same lines is Chapter 18 of the Montana laws, which provides that a diploma from the department of law of the State University shall entitle the holder to a license to practice law without further examination.

An interesting bit of special legislation relating to the same subject is found in Chapter 77 of the laws of Tennessee which removes the disability of infancy of Miss R. F. so as to permit her to practice law before she reaches the age of 21.

Act No. 154 of the Pennsylvania laws, which gives an attorney a lien for compensation for services upon his client's cause of action and attaching to any award, order, report, decision, compromise, settlement, verdict or judgment in the client's favor and the proceeds thereof in whosever's hands the same may be, has been severely criticized in the report of the Committee of Legislation of the Law Association of Philadelphia. In the absence of provisions for supervisory control by the court over the amount of the fee it subjects clients to disadvantages at the hands of certain classes of practitioners and it also tends to put the relation of attorney and client on a business basis and to obscure and weaken the relationship as one of confidence and trust.

Among the acts relating to the conduct of attorneys are No. 393 of the laws of Pennsylvania, which makes it a misdemeanor for attorneys to receive compensation for insurance sold to or solicited from clients and in some instances fellow-attorneys; Chapter 63 of the laws of Oregon, which makes it a misdemeanor

for attorneys or other persons to in any way advertise for business in divorce matters; and Chapter 259 of the laws of Oregon, which provides that a member of the Bar shall be disbarred whenever it appears that his conduct has been such that if he were applying for admission his application should be denied. A Missouri act (p. 99) which prohibits the practice of law without a license and provides that no association or corporation may secure such a license defines law business as "the advising or counseling for a valuable consideration of any person, firm, association or corporation as to any secular law or the drawing or the procuring of or assisting in the drawing for a valuable consideration of any paper, document or instrument affecting or relating to secular rights or the doing of any act for a valuable consideration in a representative capacity."

B. ORGANIZATION AND ADMINISTRATION OF STATE GOVERNMENTS.

There is comparatively little legislation of importance relating to the organization and administration of the state governments.

The most important laws of this sort are probably the Vermont, (26) North Dakota (45) Iowa (§§191a, 191b, 1915, Iowa Code, p. 13) Nebraska (229) and Washington (126) acts creating state budget systems. The details of these acts are similar. In two of them the Governor is a member of the board having charge of making up the budget. The Vermont act contains an additional provision that the budget committee shall have power to make any expenditures necessitated by unforeseen circumstances and to pledge the credit of the state therefor.

Connecticut (302) creates a state board of finance to co-operate with the legislative committee on appropriations in recommending appropriations to the lower house. All state agencies must submit to finance board biennially itemized estimates, etc.

Chapter 49 of the New Hampshire laws gives the Governor a certain degree of control over the finances of the state by requiring that the expenditure of all money appropriated to carry on the work of any department of the state government shall be subject to the approval of the Governor with the advice of the council under such general regulations as the Governor and council may prescribe; and in Minnesota (383) a consti-

tutional amendment is proposed which would permit the Governor to approve in part single items of an appropriation bill.

A New Jersey act (241) takes a step in the direction of economy and efficiency by consolidating some half a dozen boards and commissions into a department of conservation and development; in California (351) the office of state purchasing agent to have charge of the purchase of supplies for practically all the state departments was created. A South Carolina act (No. 117) requires the state bank commissioner to make semi-annual examinations of the accounts of all state and county officers and of institutions for the support of which the state makes appropriations.

In Kansas (439) a committee and in Wisconsin (404) a commission were created to investigate the business methods of the state. Minnesota (ch. 377, §50) made an appropriation for an investigation of the organization of state departments in the interest of economy and efficiency, and Illinois (p. 733) continued a commission for similar purposes. In New York, however, the permanent state department of efficiency and economy was abolished (17).

Alabama (No. 651) proposed an amendment to the constitution to provide for biennial sessions of the legislature instead of the present system of having it meet every four years.

The increase in the number and power of administrative commissions leads to abuses which in turn suggest the necessity for new means of control. The Wisconsin act (406) which creates a conservation commission provides that the commissioners like the members of the English Cabinet shall appear before the legislature when required and answer the interrogations of members.

Agricultural boards or commissions were established in several states, among them Pennsylvania, Delaware and Ohio; a state highway department was established in New Hampshire (103) and in South Carolina a state board of charities and correction was created (103). An interesting illustration of the close relations sometimes existing between a state university and a state government is found in a Colorado act (150) which provides that the head of the department of chemistry in the state university shall be the state chemist.

All positions in the state service were classified and a civil service commission to control appointments was provided for in Kansas (156). Removals for "religious or political influence or affiliation" are forbidden and in all cases the removing officer must give notice to the commission which is authorized to investigate the same.

The appointment by state officials of persons related to them in specified degrees of consanguinity is forbidden in Idaho (1) and Nevada (p. 17). A similar provision is contained in the Industrial Welfare Commission Act of Kansas respecting appointments by the commission.

California forbids (417) the employment of any person other than a citizen of the United States by the state or any county or municipality, with certain exceptions, notably in a state college or university.

Colorado (155) adopted a state song entitled "Down Where the Columbines Grow" and New Mexico (102) a state flag which is minutely described in a word picture. Missouri (p. 301) made the first Monday of October a holiday to be known as "Missouri Day commemorative of Missouri history."

C. MUNICIPAL HOME RULE.

The power to frame their own charters is granted to cities in Connecticut (317) and Virginia (60). Massachusetts (267) passed an act recommended by a committee appointed in 1914 which authorizes cities to adopt any one of four plans of government. Nevada (p. 157) provides for submitting local and special legislation for the approval of the electors in the locality affected and prevents the repeal of such laws without the consent of the voters of the locality which adopted them.

Illinois (p. 263) provides for the consolidation in the government of the city of Chicago the powers and functions now vested in local governments and authorities within the territory of the city. This act before taking effect is to be submitted to the legal voters of Chicago and the legal voters of the several towns or townships, parks or park districts or other local governments and authorities to be consolidated.

D. EDUCATION.

Compulsory education laws were passed in Texas (49), Florida (6831), and South Carolina (98). Wisconsin (420) raises the age of compulsory attendance at continuation schools to 17 instead of 16. The student is required to attend 5 hours per week 8 months a year.

A state bureau of vocational education was created in Pennsylvania (162) and Nebraska (234), and Vermont provided for the establishment of vocational schools.

Kansas (296) created a state department of education and California (597) authorized the State Board to determine the course of study in high schools and to withhold state subsidy from high schools whose courses were not approved by the board.

Wisconsin (497) reorganized the state board which now consists of the Governor, secretary of state, superintendent of public instruction, one representative of the regents of the state university and one of the normal school regents.

Illinois appropriated \$5,000,000 for its state university. This is probably the largest sum ever appropriated in one year to a single institution of higher learning in this country. Texas proposed a constitutional amendment authorizing the creation of a students' loan fund, authorizing counties to lend money to students to complete their education.

E. ELECTIONS.

1. *Qualifications of Electors.*

Constitutional amendments authorizing woman suffrage were proposed in Massachusetts (res. 130), New Jersey, New York, Pennsylvania, South Dakota (234) Arkansas (page 1492) and West Virginia (55). The Massachusetts resolution expressly authorizes women to be members of committees to favor or oppose this amendment thereby removing all doubt of their right so to serve under the Corrupt Practices Act.

A constitutional amendment requiring a property qualification for electors on propositions to incur public debt is proposed in Washington (127).

The voter who changes his residence within 15 days prior to election day in Vermont (No. 12) may vote in the town from which he so removes. Connecticut (166) authorizes a voter to retain for six months for the purpose of voting, a residence in a town from which he removes, and meanwhile he is regarded as a resident of the town to which he removes for the purpose of becoming a voter there. A similar provision is contained in California (526).

Qualified voters absent from their residential precincts are authorized to vote elsewhere in the state in Colorado (76), Michigan (H. B. 157), Montana (110), Washington (189), Wisconsin (461) and Iowa (p. 150). Texas (res. 1) proposes a constitutional amendment authorizing absentee voting for state officers or on referendum, and Massachusetts (res. 29) calls for a report from the Attorney General and the Secretary of the Commonwealth on the feasibility and desirability of legislation permitting absentee voting.

2. Election of United States Senator.

An act of Congress requires United States Senators to be elected at regular elections for Congress next preceding the expiration of a Senator's term and makes temporary provision for nominations and elections until the state legislatures provide therefor. Legislation providing for the election of United States Senators was enacted in many of the states.

3. Non-Partisan Election of Judges.

Separate ballots for judicial candidates in cities of 200,000 are required in Illinois, and Wyoming (174). These acts provide that judges shall be nominated regardless of political affiliation on "judicial ballots" at the general primary.

4. Party Organization and Elections.

Arizona (48) provides for party enrollment at time of registration and limits voting at primaries to enrolled voters of the party.

Party committees of all kinds are to be elected by popular vote in Indiana (105). Under this law, a state central committee com-

posed of district chairmen from each congressional district is vested with the administrative power. It is further provided that candidates for all offices except state offices and presidential electors are to be chosen by direct primary, but preferential vote for candidates for President, Vice-President, United States Senator and Governor is authorized.

West Virginia (26) provides for nomination by direct primary of state and county executive committees, delegates to national conventions and all candidates for office except specified judicial offices, presidential candidates and electors, and officers in small cities.

A new primary act in South Dakota (258) repealed the Richards Primary Law initiated and enacted by the people in 1913 and restored the 1909 law with amendments. The proponents of the Richards Law are expected to ask the courts to pass on the power of the legislature to repeal the initiated measure.

California (135) and Alabama (No. 78) enacted new direct primary laws. Oregon (242) provided for the election of delegates to national conventions, nomination of presidential electors and for expression of choice of candidates for President and Vice-President.

Washington (52) regulates party committees, conventions, etc., and gives a place on the official ballot to any political organization which polled ten per cent of the vote at the previous general election and which has held a state convention prior to July 10 and declared its political principles and legislative program.

Minnesota (167), and Wisconsin (92) abolished the second choice provision of the primary laws; ch. 381 also contains detailed amendments to the Wisconsin Primary Law.

Vermont (No. 4) enacted a primary law with a curious referendum provision. If the act is approved by the people it takes effect in 1916 and if rejected it takes effect in 1927.

Kansas (204) provides as an alternative for nomination by petition, a system for individual declaration of intention to become a candidate. At the time of making his declaration the prospective candidate must pay an "entry fee." For United States Senator, state offices and certain listed offices the "entry fee" is one per cent of one year's salary. For the minor offices the entry fee runs as low as 50 cents.

Campaign expenditures of any party for a single campaign are limited to \$15,000 in Nevada (p. 376). Kansas (211) limits a candidate's expenditures, exclusive of travel expense, to ten per cent of the office salary for the first year with a minimum of \$50. This act requires candidates owning newspapers to take into account "all personal references at the same rate as charged other candidates." Kansas (213) prohibits any candidate or organization to provide conveyances to take voters to the polls.

Evidently for the purpose of hastening the count Kansas (205) provides for two election boards in each precinct, one to be known as the Receiving Board and the other the Counting Board. Duplicate ballot boxes are required. Four hours after the opening of the polls the counting board begins the count of ballots then received, and subsequent ballots are deposited in the duplicate box. The counting board returns the first box and then counts ballots in the second. This is kept up until the polls close. Thereafter both boards unite in the final count and certification of returns. At considerable increase in the election expenses this act ought to contribute to the public health by decreasing the strain on candidates' nerves pending the announcement of the election results.

F. INITIATIVE, REFERENDUM AND RECALL.

Constitutional amendments authorizing the initiative and referendum were proposed in Minnesota (385) and North Dakota (pp. 333 and 335).

For the purpose of preventing fraudulent petitions setting in motion the initiative, referendum and recall, Washington (pp. 54 and 55) requires that such petitions shall contain a warning against signing by persons not legal voters or by other than their true names and requires a detailed certificate by the precinct registration officer that all the signers identify themselves and *sign in his presence at his office*. This bill was bitterly opposed by the radicals in the legislature.

California (pp. 43 and 49) penalizes frauds in connection with initiative, referendum or recall petitions and makes it a felony punishable by one to 15 years imprisonment to subscribe a fictitious name or the name of another to such petitions.

Nevada (pp. 157 and 158) provide for referendum on local and special legislation to the voters of the county affected. Laws so adopted are to remain in force until repealed by direct vote of the county.

Improvement in the form of initiated bills is provided for in California (41) which requires the legislative counsel to co-operate in the preparation of such measures on request of 25 electors and (42) which requires the attorney general to prepare a title and summary for initiated measures.

G. REVISION AND AMENDMENT OF STATE CONSTITUTIONS.

The question of calling a constitutional convention was submitted to the voters in Louisiana (33), New Hampshire (235), South Dakota (236) and Tennessee (110). If authorized, the Louisiana convention will meet on September 14, 1915, the New Hampshire convention in 1918 and the Tennessee convention, November 15, 1916. Tennessee (111) also provides that amendments recommended by the convention shall be submitted separately.

At the regular session in New Jersey an amendment revising the article describing the method of amending the constitution was submitted, but at a special session this act was repealed and in its place a detailed amendment (2) describing procedure for submission of proposed amendments was enacted.

A large number of specific amendments were proposed in various states. These are noted in connection with the legislation dealing with the subject matters to which they refer.

H. UNIFORM STATE LAWS.

Bills recommended by the Conference of Commissioners on Uniform State Laws were passed as follows:

Uniform Warehouse Receipts Act—Okla. (288); Ida. (31); Ark.

Uniform Bills of Lading Act—Vt. (149); Ida. (16).

Uniform Desertion and Non-Support Act—Vt. (101).

Uniform Workmen's Compensation Act—With slight modifications, Vt. (164).

Uniform Partnership Act—Pa. (15); Wis. (358).

Uniform Sales Act—Pa. (241); Nev. (159); Ill. (p. 606).

Uniform Probate of Wills Act—Nev. (36).

Uniform Acknowledgment of Deeds Act—Wis. (275).

Uniform Marriage Act—Wis. (270).

In addition to these uniform bills several model bills recommended by various organizations were enacted, *e. g.*, the Blue Sky Law drafted by a conference of state attorney-generals; the Mobile Fraternal Insurance Bill and the Uniform Mutual Insurance Act. All of these are included in this review under the subject matter to which they relate.

I. INVESTIGATING COMMISSIONS.

Commissions to investigate various fields of possible legislation were appointed in several states. Indeed hardly a state legislature adjourned without creating such commissions. Their duties range from a study of social insurance to the determination of the route traveled by Lincoln on his family's journey from Indiana to Illinois (Ind. 25). So frequent have become acts creating and specifying the powers of such commissions that Massachusetts, evidently to save repetition, enacted a general law (269) declaring that whenever such a commission is created it shall prepare and submit to the legislature drafted bills to carry out his recommendations.

The investigating commission serves a double purpose for the legislator. It enables him to postpone action on novel legislation—particularly the so-called social legislation which places additional burdens on property—without offending its most ardent advocates. On the other hand it enables him to point to the conditions discovered by the commission and to its recommendations as justification for his attitude and as supplying that basis of fact which the courts require to support the reasonableness, and therefore the constitutionality, of much regulatory or police legislation.

No attempt is made to refer to all of these commissions. The most important of them will be found noted under the subject matter to which they refer.

J. STATUTES—PREPARATION, REVISION AND CONSOLIDATION.

“Revisers of Bills” recently created in Vermont are hereafter to be designated “Legislative Draftsmen.” They are to be appointed not by the Governor as formerly, but by the presiding officers of the Senate and House with a deciding vote when necessary in the chief justice.

A California act (41) requires the legislative counsel or draftsman to prepare initiated bills at the request of 25 legal proponents of such bills.

Vermont also makes provision (242) for the appointment by the Supreme Court of a commissioner to revise, redraft, consolidate and arrange in methodical order and state in simple language the public statutes of the state for submission to the next legislature. Virginia continues a commission created in 1914 to revise its statute law and prepare a complete code thereof. The Legislative Reference Bureau in Pennsylvania (194) is authorized to continue its work of preparing compilations and codes of existing statute law.

Commissions to revise and codify particular branches of the law were created in several states. Indiana will codify mining and health laws; Utah, education laws. Connecticut passed an act providing for a revision of all of its statutes by a commission of six.

Illinois (2) regulates lobbying. Lobbyists must obtain certificates from the Secretary of State and after adjournment the person or corporation employing lobbyists must file a detailed statement of all payments, including compensation and expenses, made to them.

Wisconsin (594) revised and consolidated the state's fish and game laws.

K. TAXATION.

From its very nature most tax legislation is of merely local interest. Only a few acts are of general interest.

The most evident tendency in tax legislation is toward the centralization in a state board of general control and supervision over the assessment and collection of all taxes including the property tax. A long act in Ohio provides for a new organization and system for the assessment of all real and personal property under

the supervision of the State Tax Commission. An Oregon law, (198) which makes it the duty of assessors and collectors to submit to the state tax commission all questions affecting the construction of the tax and revenue laws of the state, affords an interesting commentary upon the growing importance of such commissions. A New Mexico law (54) creates a state tax commission to assess corporate property and revise local assessments, a South Carolina act (No. 903) creates a state tax commission with general supervisory power over the administration of the assessment and taxation laws of the state, and an amendment (H. J. R. No. 17) is proposed to the Oklahoma constitution providing for the creation of a state tax commission. A backward step seems to have been taken in Iowa, however, by the repeal (30) of the law creating a state tax commission. Ex officio state boards or commissions with similar powers were created in Virginia, North Carolina and Nevada.

A North Dakota act (p. 81), which provides that money and credits shall be exempt from taxation except to the amount of two mills on each dollar annually, a Connecticut act (125), which provides that loans secured by mortgage shall be exempt from taxation to an amount equal to the assessed value of the mortgaged real estate, and a Kansas act (250) which provides that all mortgages on real estate shall be registered at a fee of 15 cents per \$100 per annum for the full term of the loan and shall thereafter be exempt from general taxation, are interesting illustrations of a growing reaction against the taxation of personalty under the general property tax.

Mention might also be made of a few other acts which are of more than an ordinary interest. An Oregon act (159) provides that the amount of the levy of any state or local tax in any year shall not exceed the larger amount so levied in either of the preceding years plus two per cent unless submitted to and approved by a majority of the voters. In Connecticut (293) the collection of personal property taxes is facilitated by requiring executors and administrators to file with the inventory of each estate an affidavit setting forth the items included in the inventory upon which a tax has been assessed or paid during the year preceding the decedent's death; a tax of two per cent per annum for the five years preceding the decedent's death is im-

posed on the inventory value of all such property upon which a tax was not paid in the year preceding his death, but a proportionate deduction is allowed where the executor or administrator shows that during any portion of the period a tax had been paid or the decedent did not own the property. A Massachusetts act (237), recommended by a special commission appointed to investigate the subject, changes a tax title from an absolute title to the land, subject to certain statutory provisions for redemption, into a first lien to be held as security by the buyer of the tax title.

Among the more important of the laws imposing taxes might be mentioned two Oklahoma acts (262 and 264), providing for an inheritance tax and a graduated income tax respectively, the Kansas (357) and South Dakota (217) acts imposing inheritance taxes, the Connecticut (292), South Dakota (100), and West Virginia acts, all of which provide complete systems of corporate taxation, and the Massachusetts (238) and Pennsylvania (No. 372) acts which impose stock transfer taxes. A Pennsylvania act (No. 231), which is of some importance, inasmuch as its effect will be felt beyond the boundaries of the state enacting it, imposes upon every ton of anthracite coal a tax of two and one-half per cent of its value when prepared for the market. Most of the important legislation enacted at the special session of the Virginia Legislature this year relates to taxation and constitutes a revision of practically all the tax laws of the state.

The most important constitutional amendment, relating to this subject, which was proposed this year is the Massachusetts resolve (140) which would authorize the legislature to impose and levy a tax on incomes which may be graduated according to whether the income is derived from property or not, or according to the class of property from which it is derived, and permit the exemption from taxation of any property the income from which is taxed. A special investigating commission was also created (134) to recommend changes in the tax laws generally and to draft laws in anticipation of the adoption of this amendment.

Special commissions to study taxation and report at the next session were created in California, Indiana and New York.

For a discussion of acts of Congress relating to taxation see the report of the committee.

L. MILITARY AND NAVAL AFFAIRS.

Acts of Congress provide for the raising, organizing and maintenance of a volunteer army in time of actual or threatened war and for the organization of an aviation section of the signal corps.

A State National Guard Reserve is created in New York (330) which provides that officers and enlisted men who have served in the regular army or navy or in any state militia may be commissioned or enrolled on the reserve list from which they may be arbitrarily ordered into active service. Massachusetts (81) created a special board to report on the practicability of providing military education for boys and of creating a military reserve.

Acts of Congress created a chief of naval operations charged with operations of the fleet and with preparation and readiness of plans for its use in war; provided for the organization of a naval militia; created a naval reserve consisting of citizens honorably discharged from the navy who are to receive compensation not exceeding \$100 a year when not actively employed in the navy and to perform in times of peace not less than one month nor more than two months service on board a naval vessel; combined the lifesaving service and revenue cutter service into a coast guard under the treasury in time of peace and under the navy in time of war; and conferred the title of admiral on the commanders-in-chief of the Atlantic, Pacific and Adriatic fleets.

A Pennsylvania act (No. 47) reorganized the National Guard to conform as far as practicable to the requirements of the organized militia under the laws of the United States. Alabama (No. 695), completely reorganized its national guard.

M. EMINENT DOMAIN—EXCESS CONDEMNATION IN CITIES.

A constitutional amendment authorizing the taking and improvement of land by the state for "relieving congestion of population and providing homes for citizens" was proposed in Massachusetts (Res. 129).

Minnesota (384) proposes a constitutional amendment authorizing the taking of private property for *private* as well as public drainage.

Constitutional amendments authorizing excess condemnation by municipalities of land abutting on municipal improvements

were proposed in Cal. (45), New Jersey and Rhode Island (1224). Massachusetts (Res. 96) continued a commission to report uniform methods of procedure for taking land for public purposes.

N. CONSERVATION.

In Indiana four voluminous acts (74, 81, 98 and 115), one of which is a general act and the other three of which apply to the cities of Fort Wayne, Indianapolis and Peru, provide for the straightening, widening and deepening of streams and water courses, the enlargement of dikes and levees and the construction of other improvements necessary to prevent such destruction from floods as the state has experienced in the past. A detailed act for the organization and administration of levee and improvement districts to prevent overflow was also passed in Texas (146).

New York passed an important act (622) looking to the construction of storage reservoirs to regulate the flow of rivers largely for the purpose of creating water power. The act provides for the formation of districts which must include the whole watershed of a river or of a tributary, and while the affairs of each district are to be managed by a local board, the whole system is placed under the supervision of the state authorities. The expense of construction and maintenance is to be assessed according to benefits, but provision is also made for the issuance of bonds. In Vermont (No. 240) a commission was created to investigate and report upon the advisability of state storage reservoirs for water power and flood prevention purposes and in New Hampshire (90) the Governor was authorized to investigate available water power in the state and to cooperate with the geological survey.

Comprehensive irrigation laws were passed in Oklahoma (226), (Ariz. (8) of 2d Sp. Sess.), and California (621) providing in detail for the organization and administration of irrigation districts. The California act also includes water power.

In Utah (84) a commission to investigate the subject of irrigation and water rights was created and the California Legislature memorialized (54) the federal government to adopt a fixed policy regarding the development of oil lands. The resolution recites that the development of the oil business in that state is hampered by the existing condition of federal law and regulation.

O. LIQUOR LAWS—PROHIBITION.

Constitutional amendments to establish state-wide prohibition were proposed by laws enacted in Colorado (56), Idaho (Res. 1) and South Dakota (231). The manufacture or sale of intoxicating liquors was prohibited in Arkansas (30), Colorado (98), Idaho (28), Oregon (141) and Washington (2). In the latter state the law adopted was an initiated measure. Prohibition acts were referred to the voters of Montana (39) and South Carolina (76) and local option laws were passed in Minnesota (23) and South Dakota (227).

Alabama forbade advertisements of the manufacture or sale of liquor and also in furtherance of the Webb-Kenyon Act prohibited their shipment into the state.

Kansas (223) made owners of premises where liquors are sold liable for damages caused by intoxicated persons who obtain liquor on such premises, such damages to be a lien on the premises as soon as suit is filed. In the same state (234) cities are made liable for damages caused by intoxicated persons but good faith on the part of state officers in the enforcement of liquor laws or lack of knowledge of the sale of liquor is a good defense.

Michigan (110) forbids dispensing intoxicating liquors in lumber camps.

P. HEALTH AND SANITATION.

A state department of health under control of a commissioner and a "public health council" composed of physicians of five years' practice is created in West Virginia (11) and given wide powers, including power to prosecute for violations if the prosecuting attorney fails to act and to apply to the courts for injunctions.

Provision for the collection of vital statistics is contained in laws passed in Florida (6892), Illinois (660) and California (378).

A number of laws having for their object the control of communicable diseases were passed. Physicians are required to report venereal diseases in Connecticut (92) and Vermont (198). The Vermont act also punishes severely any person suffering from such diseases who marries. An Ohio act (§1275 Code) while

making wilful betrayal by a physician of a professional secret such unprofessional conduct as to justify a refusal of a license, expressly provides that a physician who informs a party to a contemplated marriage of the fact that the other party is suffering from such a disease is not to be deemed guilty of betrayal of a professional secret and shall not be liable in damages. Wisconsin (525), amending the eugenics law, requires thorough, scientific examination of male applicants for marriage license, and the filing of a certificate that applicant is free from venereal disease.

To prevent the spread of tuberculosis Indiana (55) enacted an important law requiring physicians to report cases to a state board, county health authorities to report monthly the condition of such cases. Premises occupied by tubercular persons must be disinfected on their removal.

A New Hampshire law (20) provides that any person believing that a member of his family has any one of listed diseases shall, if no physician be in attendance, immediately notify the local board of health.

The sale or transfer of narcotic or habit-forming drugs is regulated and restricted in Colorado (75), Florida (6891), Idaho (61), Massachusetts (187), Michigan (117), Minnesota (260), Montana (134), Nebraska (195), New Jersey (24, 53, 343), South Dakota (161), Utah (66) and Vermont (197).

Regulations of the professions dealing with the health of persons are contained in a number of acts. Wisconsin (438) requires every person desiring to cure bodily or mental ills to apply to a state board for license or certificate of registrations authorizing the practice which applicant proposes to engage in. Applicant must have the equivalent of a high school education and two years college course in physics, chemistry and biology. Massachusetts (293) adds to the qualifications of physicians "the degree of doctor of medicine or its equivalent from a legally chartered medical school" and (301) requires for dentists "a diploma from the faculty of a reputable dental college as defined by this act." The practice of dentistry is also regulated by acts passed in Arkansas, California and New Jersey (146).

Chiropractics are regulated and provision made for licensing in Nebraska (197), North Dakota (p. 199) and Oregon (325). A New Jersey act (271) aims at the prohibition of chiropractics.

The practice of optometry is regulated by Illinois (p. 695), Minnesota (127), Tennessee (83), Utah (94), and Wisconsin (488).

Nursing is regulated by Connecticut (28), Colorado (149), Maine (139), Ohio, Tennessee, Alabama (No. 207) and Wisconsin (595).

Physicians and surgeons are forbidden to split fees except with the full knowledge of the patient by a Kansas act (240).

Chiropody is regulated by Michigan (115) and by Connecticut (No. 229) which forbids the use of "doctor" by chiropodists.

The common drinking cup and towel are banished from public places by Rhode Island (1238), New Hampshire (84) and Pennsylvania (281). Sterilization of dishes used in public eating houses "in hot boiling water changed every two hours" is required in Texas (7). Pennsylvania (281) prohibits the employment in hotels and public eating places of persons suffering from specified diseases. A similar rule for laundries, and detailed sanitary regulations for canning factories, were enacted in Delaware (59 and 228).

The manufacture and sale of mattresses and bedding is regulated in the interest of public health by Massachusetts (148), Colorado (120), California (641), Connecticut (59), Montana (146) Alabama (No. 208) and Oregon (192). These laws follow a model bill on this subject previously enacted in other states. It is evidently one of those bills prepared and advocated by some organized group.

The bill regulating the size of sheets in hotels and lodging houses, often cited by critics of legislation as a ridiculous instance of detailed legislation, was adopted this year in Indiana (93). Despite the undesirability of clogging our statute books with such details the enactment of desirable sanitary rules will be an important duty of the legislature until adequate power to make and enforce detailed rules of this sort is delegated to our administrative officials. Such delegations tend to increase in number and importance and the courts are growing more lenient in dealing with their constitutionality under the rule that delegations of legislative power are void.

Q. PURE FOOD LAWS.

A large number of this year's statutes deal with regulations enacted to secure the public against impure and adulterated foods. Necessarily only a few of these can be mentioned here.

The ingredients which may be used in bread sold by the loaf are designated in Massachusetts (258) and it is required that the presence of other materials, if any, be stated on a label.

Wisconsin (597) requires all butter or cheese factories to be licensed.

California (416) enacted an interesting law requiring the marking of wrappers or containers of butter and eggs imported into the state from outside the United States, and the display of a sign by persons selling such butter. This act has been held unconstitutional by a lower court.

Similarly Oregon (272) and Washington (101) require the classification and branding of eggs as "storage," "preserved" or "foreign" and require hotels and public houses using "foreign" eggs to display conspicuously a sign "we use foreign eggs."

Conspicuous marking of cold storage eggs is required in Arizona (23), Rhode Island (1190), and Minnesota (18). The latter act makes it a misdemeanor to sell or advertise cold storage eggs without informing a prospective purchaser that they are cold storage.

Pasteurization of milk is required in New Jersey (285), and in California (742) unless the cows have passed the tuberculin test.

R. MISCELLANEOUS SOCIAL LEGISLATION.

For the regulation of charitable organizations generally a Maine act "to lessen frauds in the name of charity" forbids solicitation of funds for charitable purposes outside of the municipality in which the solicitor resides or does business without a license from the state board of charities and correction. Michigan (68) requires charitable organizations soliciting public aid to register with state charities board.

A commission to investigate the subject of social insurance and to report its findings to the next session of the legislature is provided for in California (275).

Pensions to widowed, divorced or abandoned mothers to enable them to provide for dependent children in their own homes are

provided for in Nebraska (187), Wyoming (32), Washington (135), Montana (86), Oklahoma (183), North Dakota (130), South Dakota (251), New Hampshire (132), Tennessee (32) and Nevada (p. 151). Wisconsin (637) makes the adoption of the mothers pension act compulsory by all counties.

An initiated measure in Arizona provides for old age and mothers' pensions; all almshouses are abolished. Men and women over 60 are entitled to \$15 monthly from the state. Widowed mothers and wives of imprisoned men with children under 16 are entitled to \$15 monthly and \$6 for each child.

New York (Chap. 288) provides for the organization of county boards of child welfare to grant allowances to widowed mothers with one or more children. Detail provision is made for the organization of the board and for its procedure in securing and distributing the public funds, but there is no compulsion on county fiscal authorities to provide funds. Commissions to investigate and report to the next legislature were authorized in Florida (6911), and in Indiana.

Regulations for the treatment of newly born infants' eyes in the interest of conserving eyesight are prescribed in New Hampshire (85), California (726), Illinois (p. 366), and Nebraska (196). Indiana (59) established an industrial board to aid the blind and Maine (109) and New Hampshire (94) provide for financial assistance to needy blind not inmates of institutions. Missouri (p. 411) proposed a constitutional amendment authorizing pensions to blind persons.

A commission to investigate the condition of the feeble-minded was created in Utah (40) and a comprehensive measure for their relief was enacted in Illinois (p. 245). Nebraska (237) required sterilization before their parole or discharge from state institutions. Iowa repealed a sterilization law which had been declared unconstitutional in part, and provided (38) for sterilization on consent of husband or wife or, if none, of parent or guardian.

California (186) provides for an unpaid county board of public welfare with power to investigate charitable institutions and jails. The board must be appointed on petition of 100 electors.

Pennsylvania (No. 420) passed a housing act for Philadelphia, while New York (32) repealed a comprehensive second class cities

housing act which though passed two years ago had never been in force because of legislative postponement of the time of its taking effect. Massachusetts (160) prohibited "sleeping compartments built on the cubical plan" in lodging houses.

Regulations in the interest of more effective control of disorderly houses through power to enjoin or abate them as moral nuisances were passed in Idaho (43), Michigan (129), Colorado (123) and Indiana (122).

Money lenders are required by Ohio to be licensed where more than 8% per annum is charged. This act also limits the maximum charge, including interest, to 3% per month. Nebraska (204) limits maximum interest to 10%. A Pennsylvania act (432) after a long preamble reciting the evils of the business regulates the lending of money in sums of less than \$300. Similar "loan shark" acts were passed in Michigan (H. B. 127), Oregon (219) and Texas (28).

Provision for the trial of juvenile delinquents in juvenile courts is made in South Dakota (119), California (631), Rhode Island (1185) and West Virginia (70). West Virginia (80) also authorizes courts to suspend sentence of minors found guilty of non-capital offenses and to parole them. Tennessee (86) provides that children convicted of crime shall not be declared infamous within the operation of statutes relating to infamous crimes. Maine (320) authorizes the commitment of delinquent children to correctional institutions or to individuals willing to support them.

S. LABOR LEGISLATION.

1. *Administrative Organization.*

Connecticut (255) consolidated the bureau of labor statistics and the office of factory inspector in a department of labor and factory inspection.

Nevada (190) created an industrial commission for the administration of the workmen's compensation act and (203) provided that one of the commissioners should hold the office of labor commissioner for the enforcement of the labor laws.

New York (674) consolidated the workmen's compensation commission and the labor department under an industrial commission. The provisions of this act are confined to administra-

tive organization and procedure for the enforcement of the labor laws and the compensation law. Particular powers are given to the commission to make rules and regulations, to vary in cases of hardship statutory provisions and to hear and determine in the first instance all cases involving validity of the labor statutes or the rules and orders made by the commission. The compensation commission prior to the enactment of this law had power to hear and determine compensation claims subject to limited appeal to the courts. This law extends the power to the whole field covered by the state labor laws. The commission's decision is subject to court review on appeal within 30 days. Failure to bring a question of validity of the law or the commission's orders before the commission or to appeal from its decision waives the right to raise the question of validity in a prosecution for violation. In general, the act is in accord with laws in Wisconsin, Ohio and a few other states which have created industrial commissions with powers similar to those exercised by public utility commissions. Colorado (180) and Montana (96) created an industrial commission more nearly like that in Wisconsin.

2. Hours and Wages.

Six o'clock closing in all mercantile and commercial houses except six days preceding Christmas is required in Utah (23).

The 9 hour day and the 54 hour week for women and children is required in Arkansas (191), Maine (350), Nebraska, Oklahoma (148) and Texas (56). The limit is made 10 hours a day and 56 hours a week in Wyoming (45). The fight of the canning industries to escape the restrictions of limited hours for women and children resulted in the exemption of these industries in Tennessee (172 and 176), and they are also exempted from the Maine act.

Wages in private employments are required to be paid semi-monthly on regular pay days in money or checks, California (657). Corporations are required to pay wages semi-monthly in Kansas (165) and weekly in Maine (296). Railroads are required to pay semi-monthly in Iowa (p. 182), and North Carolina (92), and public service corporations semi-monthly in Minnesota (37).

South Carolina (126) makes it a misdemeanor to acquire at less than par trade checks given in payment of wages and provides that there shall be no right to collect or enforce checks so acquired. Florida (6914) requires redemption in cash of such trade checks 90 days after issue.

Assignment of the wages of a head of a family is rendered void in Nebraska (171) unless executed and acknowledged by husband and wife as in the case of real estate conveyances.

The minimum wage law for women was amended in California (571) and a new law enacted in Arkansas. A commission to investigate the wages of women and minors and report on the advisability of establishing a minimum wage board was created in Idaho (136). An important act relating to hours and wages of women was enacted in Kansas (275). After declaring that "the State of Kansas exercising herewith its police and sovereign power declares that inadequate wages, long continued hours, and unsanitary conditions of labor exercise a pernicious effect on the health and welfare of women, learners and apprentices and minors" the act creates an industrial welfare commission and makes it unlawful to employ women or minors under conditions detrimental to their health or welfare or at wages not adequate for their maintenance or for more hours than is consistent with their health and welfare. The commission may make investigations and establish wage, hour or sanitary boards whose recommendations, when approved by the commission, become binding on all employers in the occupations affected.

A mediation and conciliation act in Michigan (No. 230) provides that where a railroad, mine or public utility business is in the hands of a receiver subject to the state courts, no reduction in wages shall be made, without order of the court, after hearing of the employees.

3. Child Labor.

Delaware created a child labor commission with power to supervise and investigate the employment of children and women (Chap. 66).

Child labor acts prohibiting employment of children under 14 Iowa (206), except in specified cases and limiting the employments in which or the circumstances under which children over

14, but under 16 (in Wyo. 18) may be employed, were passed in Alabama, Iowa (page 206 Supp. Code), Maine (327), Pennsylvania (177), Wyoming (77), and California (625). Under the Pennsylvania act children between 14 and 16 are not to be employed more than 9 hours a day or 51 hours a week, and each such child must attend a vocational school at least 8 hours per week, to be deducted from the 51 hours.

4. Safety and Sanitation.

First aid rooms or emergency kits in all manufacturing establishments where machinery is used is required in Connecticut (42), and in Massachusetts (216) manufacturers are required to provide such accommodation for first aid as a state board prescribes. Executive officers of corporate employers are made personally liable for failure to comply with the Connecticut act.

Pure drinking water for employees is required to be furnished by their employers in California (485). Detailed provisions regulating heating, lighting and ventilating factories and guarding machinery therein were enacted in Illinois and similar provision regulating work in coal and zinc mines in Missouri. The latter act also requires employers to furnish wash-rooms and provides that a separate room be maintained for negroes. South Carolina also requires complete separation of different races laboring in textile manufactories.

5. Mediation and Arbitration of Labor Disputes.

An Indiana act (118) provides in detail for the mediation, conciliation and arbitration of controversies between employers and employes. The act provides for the appointment by the Governor of boards of mediation and conciliation, and if in any case such a board is unable to bring about a settlement of the dispute or induce the parties to arbitrate, then it is made the duty of the board to investigate the cause and circumstances of the controversy and publish their findings. A curious feature of the act is that the members of the boards of arbitration for which it provides are also to be appointed by the Governor. A mediation and arbitration act was also passed in Michigan (S. B. 91).

6. Hiring and Discharging of Employees.

A New York law prohibiting employment of aliens on public works was amended (51) so as to give citizens a preference over aliens but authorizing the employment of aliens where citizens are not available. This legislation was brought about by the necessity of employing foreigners on extensive subway construction in New York City.

Any person authorized to hire or direct others is forbidden to receive any fee or gift as a condition of giving or continuing employment to any workman under penalty of punishment for misdemeanor, in California (56) and Nevada (51).

Corporations are forbidden to dismiss an employee on the statement of a "spotter" without a hearing, in California (65) and a similar act applying to employers generally was enacted in Nevada (41).

An initiated measure in Arizona prohibits blacklisting of and unlawful interference with employees.

A black list act in Indiana (51) provides that employees discharged or quitting are entitled on request to a letter from their former employer "setting forth the nature and character of the service rendered and the duration of employment and stating the cause for dismissal or quitting of the service" in all cases where written recommendations or written application showing qualifications or experience were required by such employer. Refusal to give the letter is made a misdemeanor. The same Indiana act and similar acts penalize failure to pay wages of discharged employees within a specified time in Minnesota (37), South Carolina and Texas (25).

Employers are forbidden to make a rule prohibiting employees from engaging in politics or becoming candidates for public office in Nevada (62).

New York created a legislative committee to make a thorough revision of the state labor laws and report to the next session.

7. Unemployment and Employment Agencies.

Public attention was directed to the problem of unemployment by the large number of unemployed who crowded into the centers of population last winter. That this condition in the labor

market was due to some extent at least to failure to bring the jobless man and the manless job together resulted in the creation of temporary public employment agencies. The propaganda to increase the importance of the securing of employment for the unemployed as a function of government has resulted in much legislation on the subject at the sessions this year. California (26) and Nevada (p. 52), because of acute unemployment problems requested Congress to investigate unemployment and adopt remedial measures. A commission to investigate unemployment was provided for in Illinois (p. 736), and other official investigations of this subject were authorized in New Jersey (47), Colorado (180) and Pennsylvania (No. 373).

Free public employment offices were provided for in California (302), Illinois (p. 414), Iowa (p. 209), New Jersey (47) and Pennsylvania. Idaho (169) declares the duty of maintenance of suitable employment offices in the municipalities of the state to be a function of government and provides that such offices shall be established by the municipalities, and by (71) provides for the maintenance of state employment agencies for farm labor.

On the theory that private employment agencies have been used to the detriment of the laboring classes and have become social nuisances, an act was initiated and adopted at the last general election in Washington, prohibiting under penalty collection of remuneration or fees by such agencies. The business of such agencies was regulated generally in California (551), Connecticut (p. 2067), Maine (38), Nebraska (209), Oregon (128), Pennsylvania (397), Rhode Island (1233), Texas (108) and Wisconsin (457). Idaho (169) forbids further maintenance of private employment offices within the state except charitable offices and agencies for professional employment. The Oregon act makes it a misdemeanor for the employer to request an agent for laborers and then refuse to accept such laborers or to discharge them without cause. Oregon and Nebraska acts make it a misdemeanor for an employer to divide with an employment agent fees paid by applicants. The Texas act and a Connecticut act (No. 238) require the agent to return fees paid by applicants if they fail to obtain jobs within a specified time.

Emergency public employment is provided for by Idaho (27) by an act which requires county commissioners to provide not

more than 60 days emergency employment a year for United States citizens resident for six months within the state. Temporary provision for similar purposes was made in Massachusetts (2 of Resolves) and New Jersey (43). Idaho (Joint Res. No. 6) requested Congress to employ only citizens on public works.

8. *Workmen's Compensation.*

Compulsory acts providing compensation for injuries in hazardous employments were passed in Oklahoma (246), Wyoming (124) and Hawaii. Elective acts were passed in Alaska, Colorado (179), Indiana (106), Main, Montana (96), Pennsylvania and Vermont. The Vermont act is modeled on the uniform compensation act recommended by the Conference of Commissioners on Uniform State Laws. The Maine act contains a curious drafting error which may necessitate a special session to amend. In some instances compensation based on weekly wages is to be determined in the phraseology of the act on the basis of 300 times "weekly" wages when 300 times *daily* wages was evidently intended.

Securing to the injured workman or his dependents the compensation due under the act has become the most important problem of compensation legislation. The Wyoming act creates a state insurance fund and the Colorado, Montana and Pennsylvania acts provide for state insurance as one of the alternative methods of insuring the compensation liability under the act.

Insurance provisions also constitute the most important amendments to existing compensation acts. West Virginia (9 and 1 of the extraordinary session) require that the state fund pay its expenses out of the fund without contribution by the state and also require it to set up reserves. Such provisions are, of course, intended to make the state fund compete on more equal terms with private insurance.

In New York (318) administration of the compensation act was transferred from a compensation commission to an industrial commission which also administers the state labor department. Another New York act (167) authorizes direct payment of compensation by the employer or his insurer to the beneficiary instead of payment to the compensation commission for distribution by the commission to the beneficiary. This law also authorizes

direct settlements between the employer and beneficiaries subject to the approval of the commission, and Chap. 168 provides that payments made by the employer prior to an award may be credited on account of the award. Wisconsin (316) exempts farmers from elective workmen's compensation act unless they expressly declare their intention to come under it. See also (114, 121 and 241).

Most of the important workmen's compensation acts in this country provide for their administration by commissions with only limited review by the courts. The original Massachusetts act authorized summary procedure in the handling of compensation cases before the commission. A new act (275) requires that such procedure shall also be "simple" which indicates that simplification of practice is not assured by substituting commissions for the courts. The administration of the West Virginia act was transferred from the public service commission to a workmen's compensation commission.

Constitutional amendments authorizing compulsory workmen's compensation legislation were proposed in Oklahoma and Pennsylvania, and a commission to investigate the subject was authorized in Utah.

Employers' liability laws were passed in Minnesota (187) and North Dakota (pp. 300 and 316).

Alabama (No. 828) provides for a commission to investigate workmen's compensation.

T. INSURANCE.

Mutual insurance companies to carry various kinds of risks are authorized by Illinois (p. 485), Michigan (86), North Dakota (pp. 71, 284), Oklahoma (223 and 225), South Carolina (No. 81), South Dakota (219) and Washington (108). The comprehensive bill recommended by the National Association of Mutual Insurance Companies was enacted in Indiana (140) which also passed the Uniform and Fraternal Insurance Act. known as the Mobile Bill (91).

Employers' mutual liability insurance companies were authorized in New Hampshire (170) and provision for similar mutuals is contained in several of the workmen's compensation acts which have given great impetus to the organization of mutual insurance companies among the employers.

New Jersey authorized (80) domestic life stock companies to change from participating to non-participating business or vice versa on approval of the Commissioner of Banking.

Insurance by individual concerns, known as Lloyds, is regulated by New Jersey (204) and Pennsylvania (147).

Individuals and corporations are authorized to exchange reciprocal or interinsurance contracts by Florida (6846), Missouri (p. 321) and Texas (156).

Premiums are regulated and agents licensed by a state insurance board created in Oklahoma (174). Corporations are authorized to act as insurance brokers in Massachusetts (82).

Rebating of agents' commissions is prohibited in Florida (6970), Maine (102) and South Carolina (No. 145). Pennsylvania (393) made it a misdemeanor for attorneys, partners or employees to receive compensation for life insurance sold or solicited for the benefit of or on lives of their clients, partners, masters and employees, and in certain cases of fellow attorneys and fellow employees. Wisconsin (323) prohibits "twisting," which is defined to mean misrepresentation, to induce the taking or to prevent the forfeiture of a policy. See also Florida (6970).

Iowa requires fire insurance companies to do business only under their corporate names, and forbids false or misleading advertisements tending to conceal the true identity of the insurer.

A standard fire policy was provided in Pennsylvania (405). Washington (192) provided that no oral or written misrepresentation or warranty made in negotiating a contract of insurance shall avoid the policy unless made with intent to deceive.

Maine (78) requires commencement of the adjustment of fire loss within 20 days after notice, but prohibits payment within 45 days without approval of insurance commissioner. Payment of sickness and accident insurance is required in Massachusetts (155) at least once in 30 days, even though not provided in the policy.

Life policies and annuities for the benefit of dependent relatives are exempt from claims of creditors in Pennsylvania (145) "notwithstanding the right to change the beneficiary named has been reversed by the insured or is permitted by the insurer." North Dakota (p. 238) exempts insurance policies from the claims of creditors when the wife, children or dependent relatives of the insured are beneficiaries by its provisions.

The emphasis which is everywhere put on securing to the injured employee and his dependents the compensation provided by compensation acts is illustrated in Massachusetts (183) by a requirement that foreign insurance companies writing compensation insurance in the state give bond, conditioned on compliance with a provision that on withdrawal from such business in the state they shall deposit security for the payment of all losses insured by them.

U. BANKS AND BANKING.

The banking business was regulated generally and the banking laws codified in South Dakota (102, 103 and 104). Montana (89) also passed a complete act regulating the banking business and creating a state banking department. Laws providing for the incorporation of banks, savings banks and trust companies, prescribing their powers and duties and providing for their regulation and control by state agencies were enacted in Washington (98 and 175), New Mexico (67), New Hampshire (109) and Indiana (133).

State banks are authorized to subscribe to the federal reserve system and comply with its rules. See Idaho (81), Michigan (H. B. 16), New Mexico (67), Nebraska (175), Kansas (88) and Wisconsin (76). Federal reserve laws are probably responsible indirectly for the number of statutes enacted this year strengthening the state control of trust companies.

Banks are forbidden in Kansas (88) to engage in trade or commerce or to invest in the stock of other banks or corporations or to loan money on or purchase their own shares unless to prevent loss on debts previously contracted.

Provision for guarantee of bank deposits is made in Indiana (133) and South Dakota (102 and 103). A bank's liability in damages for non-payment through mistake or error but without malice of a depositor's check is limited by Montana (90), to actual damage proved.

Malicious circulation of false rumors with intent to injure the financial standing or reputation of banks or financial institutions or the financial standing of individuals is made a misdemeanor by Delaware (107) and Kansas (91). The Kansas act also applies to any act tending to start a run on a bank.

The drawing of a check on a bank in which the drawer has no funds or credit (the latter term being defined as an arrangement with the bank for the payment of the check) is punished criminally by Kansas (92) North Dakota (p. 16), Colorado (71) and Washington (156). An Ohio act makes it a felony to give, with intent to defraud, a check on a bank in which the drawer "never had" any funds or credit. The issuing of a check without sufficient funds to meet it is made *prima facie* evidence of intent to defraud in Idaho (129).

Banks are authorized in West Virginia (52) to pay checks of minor depositors unless otherwise specifically directed in writing by the parent or guardian.

V. PUBLIC UTILITIES.

Wyoming (146) was the only state which created a public service commission this year; but the jurisdiction of existing commissions was greatly enlarged in many cases.

Acts regulating the very recent industry of running "jitney busses" were enacted in Colorado (133), New York, Pennsylvania (311), Tennessee (60), Washington (57) and Wisconsin (546). These acts require in general that the persons operating motor vehicles not running on tracks and carrying passengers for pay should take out a license and conform to the regulatory provisions of the statute. Pennsylvania and Washington did not declare the "jitney bus" business a public utility, but Colorado, Tennessee and Wisconsin specified in their acts that "jitneys" are common carriers and to be regarded as public utilities.

California defines public utilities to include common carriers, pipe lines, gas, electrical, telephone, telegraph and water supply corporations, wharfingers and warehousemen "where service is performed or commodity delivered to the public."

Washington (132) declared corporations operating pipe lines for the conveyance of light and natural gas to be common carriers and subject to control and regulation by the Public Service Commission of the state. Connecticut (65) extended the jurisdiction of the Public Utilities Commission to include complaints by municipalities, persons or corporations whose pipes or other property are injured by electrolysis or by the escape of electricity of any public service or electric company. In Oklahoma (176) cotton gins were declared to be public utilities and the business of

ginning all seed cotton to be a public business. By the law of North Dakota (147) regulation of corporations organized for furnishing water, gas or electricity was placed under the control of the Board of Railroad Commissioners. In Minnesota (152) telephone companies were placed under the control and jurisdiction of the Railroad and Warehouse Commission. A curious provision in Kansas (238) makes it the duty of the Public Service Commission to require every railroad company to provide facilities for stopping every passenger train, entering or leaving the state within a reasonable distance of the state line and to stop such train for sufficient time to enable passengers who care to, to enter or leave the train. It is possible that this act was intended to permit passengers to alight and purchase tickets in Kansas, thus enabling them to take advantage of cheaper fares than the regular three-cent fare in interstate traffic.

In Illinois railroads or transfer companies are given the right to sell transportation to newspapers or magazines in exchange for advertising.

Texas, Washington and Montana passed acts relating to the regulation of warehouses. The laws of Washington (170) after defining "public terminal warehouses" provide for the licensing of warehousemen, regulate the use of warehouse receipts and prescribe the powers and duties of the Public Service Commission with reference to the warehouse business. Montana (93) established a state grain inspection department and a grain grading commission. Under the act provision is made for a chief grain inspector and for establishing licenses for conducting the business of public warehousemen, grain dealers or track buyers. The special session in Texas called on account of the exigencies arising in connection with the over-supply of cotton occasioned by the European war passed comprehensive acts in regard to the establishment and maintenance of state warehouses. One of the acts required the Commissioner of Insurance and Banking to establish a state warehouse system and conferred authority upon counties and incorporated cities and towns to contribute to its cost. A second act created a system for permanent warehouses. Under this act a Board of Supervisors of Warehouses was established, its authority defined and the power of visitation over the corporations chartered under the act given to it.

Louisiana (No. 10) declares sugar refining to be impressed with a public interest because of its nature, authorizes its monopolization and regulates the business generally.

Chapter 178 of the laws of Washington prohibit any public utility from being constructed where similar service is already rendered without first obtaining a certificate of public necessity and convenience from the Public Service Commission.

A peculiar provision in Oklahoma (262) extending the doctrine of the "Jim Crow" legislation to telephone and telegraph companies compels these companies to furnish separate booths for white and colored people when the Corporation Commission shall determine the necessity of such regulation.

Of the acts authorizing municipal ownership of public utilities the most important is California (531) which authorizes the incorporation of public utility districts composed of municipalities of the state with extensive power to construct or acquire and operate public utilities. The act contains detailed provisions for the organization and administration of the districts.

"A Deep Water-Way Canal Bill" passed by the Illinois legislature (p. 18) provides for the construction, management and operation of an eight foot canal from Lockport to Utica, thereby providing a water-way with a minimum depth of eight feet from Lake Michigan to the Mississippi River. An appropriation of \$5,000,000 was made for this work and a provision inserted in the act that when the water-way shall have been completed and paid for the channel shall be tendered to the United States Government for navigation used.

W. CORPORATIONS—MONOPOLIES.

Of the many statutes dealing with corporations only a few deserve to be mentioned as of general interest.

New Jersey (114) amended the famous "Seven Sisters Bill" by providing that corporations may purchase securities of other corporations for investment, but not for voting purposes or to restrain trade or lessen competition.

In Colorado, where cumulative voting for directors has been in force for a number of years, a new act permits corporations existing or hereafter organized to elect not to have the cumulative system.

"Blue Sky" laws seeking to protect the investing public by regulating the sale of corporate securities were enacted in Arkansas, Colorado, Iowa (161) Kansas (164), Michigan, North Dakota (p. 293), South Carolina (No. 160), South Dakota (275) and West Virginia (18), and an amending act was passed by Oregon (324). A criticism of these bills from the point of view of the bankers will be found in the Bulletin of the Investment Bankers Association under date of June 12, 1915.

Corporations dealing in milk, poultry and eggs are forbidden by Wyoming (23) from creating a monopoly or destroying the business of competitors by discrimination. A Kansas act (368) dealing with monopolies, which, though it applies to persons as well as corporations, will probably affect only the latter, forbids price discriminations between different parts of the state for the purpose of destroying competition. Detailed provision is made for investigation and prosecution of alleged violations. The attorney-general is given power in case he finds that a violation was not "wilful" and that the offender intends in good faith to abandon the practice complained of may "permit such person to go" without instituting prosecution. The act declares its purpose to be "regulating trade and promoting confidence in persons engaged therein." Louisiana (No. 11) prohibits monopolies and contracts or combinations in restraint of trade, and imposes criminal and civil penalties for violation; No. 12, in the same state, authorizes special procedure for investigations of violations of these laws. Florida (6933) makes trusts unlawful. An act of Congress (75) provides that no part of the appropriation for enforcement of anti-trust laws shall be spent in prosecution of labor or agricultural organizations.

The organization of co-operative industrial or agricultural associations was authorized in Colorado (57), Iowa (134), New Mexico (64), Oregon (226, 227), North Carolina (144), South Carolina (152), Wyoming (145) and Kansas (159). For legislation similar to this see also Rural Credits.

X. LAND BANKS—RURAL CREDITS.

Missouri (p. 196) created the Missouri Land Bank to provide agricultural credits. The state is to make an appropriation of \$1,000,000 to the bank when its loans aggregate \$500,000. Mon-

tana (28) created a department of farm loans. Provision for co-operative banks to extend agricultural credits was made in Massachusetts (231), South Dakota (233), Utah (119 and 120) and Oregon (166 and 277). See also laws noted under co-operative associations.

California (42) proposed a constitutional amendment authorizing the legislature to provide a system of colonization and rural credits and also (279) appointed a commission to investigate the subject and report to the Governor before October 1, 1915. Louisiana (No. 19) also creates a commission to study this matter.

Y. DOMESTIC RELATIONS.

Abandonment by the husband of his wife or children is made a misdemeanor and thereafter an extraditable offense in Indiana (73), Illinois (p. 470), Idaho (83), Virginia (114), Oklahoma (149), Wyoming (72) and Tennessee (120 and 125). Tennessee (126 and 127) also makes it a felony for the husband wilfully to leave the state after abandoning his wife or child with intent to leave them destitute. The offense of "cruelty and neglect of children" is defined and punished in New Jersey (246). This act authorizes payment to charitable organizations of fines imposed under its provisions in cases in which the organization is complainant, a practice which has developed abuses in the field of legislation protecting animals from cruelty.

Equal right to the custody of children is given to the father or mother in South Dakota (120) and Idaho (120) and in Maine (328) where the husband and wife have lived apart for a year.

A duty to support their indigent parents is placed on adult children in Massachusetts (163) and Montana (42). Provision is made for proceedings in such cases similar to the usual non-support cases.

Z. DIVORCE.

The California legislature (31) memorialized Congress to propose an amendment to the Constitution granting to Congress power to pass uniform divorce laws for the United States.

The Nevada law (28) giving jurisdiction in divorce cases to the district court of the county in which the plaintiff has resided

for six months before suit brought is worthy of mention only as a step backwards as it reestablishes the prestige of Reno.

The libellant is made a competent witness generally in Pennsylvania (No. 75) even though the respondent may not have been personally served and may not have resided within the state.

Colorado passed a comprehensive act (74) specifying the grounds of divorce and procedure in divorce cases.

Divorced persons are prohibited from remarrying within six months and the court is authorized to prohibit the guilty party from marrying within five years by West Virginia (73).

For the purpose of supervising the conduct of divorce cases, Tennessee (121) provides for a proctor in divorce in counties of 100,000, who shall not appear for either party but shall attend the trial of every divorce case, investigate the charges made, and be prepared to advise the court as to the merits of the case. He is given power to examine witnesses or parties. West Virginia (73) makes provision for a divorce commissioner with similar duties to investigate, appear at trials and take necessary steps to prevent fraud and deception.

AA. PROPERTY AND DECEDENTS' ESTATES.

Pennsylvania (99) provided for the appointment and expense of a commission of three persons to codify the law of decedents' estates.

Oklahoma (136) and Wyoming (95) provided by statute that no person who is convicted of taking or having caused to be taken the life of another shall inherit or take by devise or legacy from or receive any insurance on the life of the deceased.

Several states removed the common law disability from women and gave them further power to own, control and devise their own property. In Pennsylvania two acts (58 and 72) give married women the right to appoint testamentary guardians both of the person and of the estate of their children. New Jersey (7) makes the paraphernalia of a married woman the sole and separate property.

Texas passed an act (54) providing that all property or moneys received as compensation for personal injuries sustained by a wife shall be her separate property except actual and neces-

sary expenses accumulated against the husband for medical bills and other expenses incident to the collection of the compensation. New Mexico (84) removes from the control of the husband the real property of the wife and provides that only during coverture shall the husband have the sole power of disposition of the personal property and that either husband or wife may convey or mortgage separate property without the other joining in the conveyance or mortgage. In Maine (328) a conveyance of his or her property by either the husband or wife if they have lived apart for good cause for over a year, is permitted.

By an amendment in Pennsylvania (126) no wife who has for one year or more previous to the death of the husband wilfully or maliciously deserted her husband shall have the right to claim any title to the real or personal estate after his decease.

Two states, Washington and Indiana, passed laws in an attempt to provide for a more expedient settlement of decedents' estates. Indiana (108) provides that in case a non-resident entitled to own real estate by descent or devise is absent from the state for more than seven years and makes no claim during that time upon such real estate, he is presumed to be dead and the real estate which he would have taken is to descend to his heirs. A novel and questionable extension of the powers of the court is contained in Chap. 39 of Washington which provides that the property of an absentee whose whereabouts or continued life is uncertain, after notice by publication may be taken charge of by the court upon petition and administered by an appointed trustee in a manner somewhat similar to the administration of the property of a deceased person, but without sale or distribution until the absentee has been gone for five years.

A very important act was passed by the New Jersey Legislature (31) providing that the father and mother shall take as tenants by the entirety on the death of a person without leaving lawful issue or brother or sister.

BB. FRAUD AND MISREPRESENTATION.

Many states passed acts providing for punishment in cases of fraudulent advertisements. West Virginia (43), Idaho (23), Oklahoma (61) and Montana make it a misdemeanor for any such

advertisements to be circulated. Colorado (67), Missouri (p. 267), Kansas (2) and New York (569) specify that the advertisement must not be untrue and misleading or circulated for the purpose of disposing of property or service or to make a sale. The Kansas act is not to apply to the publisher of any publication who publishes or circulates it without knowledge that it is false. Another act of New York (150) makes it a misdemeanor to affix in any manner a business or commercial advertisement on any property of another without his consent or on any object within the limits of a highway. The act contains an interesting provision for its enforcement in the provision that any advertisement within the highway in violation of its provisions may be removed or destroyed by any one.

Acts providing for punishment in cases of the making or using of false statements in writing to procure property or credit were passed by West Virginia (62) and Wyoming (76). A New Hampshire act (44) provides that any person who either directly or indirectly makes any false statement in writing, respecting the financial condition or means or ability of himself or any other person, with intent that it shall be relied upon, shall be guilty of a crime. Oklahoma (180) contains a similar provision.

Kansas (203) provides that the obtaining with intent to cheat and defraud of money or of property by fraudulent representation or device or by check or other written instrument or "spurious coin or metal" shall be punished. Tennessee (106) makes it a misdemeanor for any person to give a second mortgage upon property without giving information to the mortgagee that there is a first or previous mortgage and to whom the same is made.

CC. SALES.

Several of the states adopted the Uniform Sales Act. A list of these states is contained under a discussion of uniform legislation.

Three states adopted acts prohibiting the sale of merchandise, goods and chattels in bulk in fraud of creditors. New Jersey (208), Kansas (369) and Colorado (92).

APPENDIX B.

SUMMARY OF STATE LEGISLATION FOR 1915.

	Submitted to Gov.	Approved by Gov.	Vetoed by Gov.	Passes over Gov.'s Veto
Alabama
Arizona	81	44	7	..
Arkansas	351	345	6	..
California	996	767	225	..
Colorado	218	176	42	..
Connecticut	715	714	1	..
Delaware	290	279	10	..
Idaho	231	167	64	..
Indiana	206	183	10	..
Iowa	343	342	1	..
Kansas	376	374	1	..
Maine	969	967	2	2
Massachusetts	846	833	6	..
Michigan	330	314	15	7
Minnesota	392	386	6	..
Missouri	175	165	9	..
Montana	227	220	4	..
Nebraska	308	304	3	..
Nevada	301	287	14	..
New Hampshire	333	327	6	..
New Jersey	500	408	53	5
New Mexico.....	110	96	8	6
New York.....	980	729	223	..
North Carolina.....	1,498	1,498	No veto power	..
North Dakota.....	273	271	2	..
Ohio	274	248	25	..
Oklahoma	300	288	12	..
Oregon	354	351	3	..
Pennsylvania	1,003	792	211	..
Rhode Island.....	277	277
South Carolina.....	322	319	3	..
South Dakota	301	294	6	..
Tennessee	877	864	7	..
Texas	312	301	8	..
Utah	170	122	48	..
Vermont	331	329	2	..
Washington	206	170	21	2
West Virginia.....	172	126	1	..
Wisconsin	204	194	3	..
Wyoming	170	162	8	..
40	16,222	15,033	1,066	22

REPORT
OF THE
SPECIAL COMMITTEE ON THE FUND FOR THE RELIEF
OF EUROPEAN LAWYERS IMPOVERISHED AND
RENDERED HOMELESS BY THE WAR.

To the American Bar Association:

The special committee constituted under the resolution of January 9, 1915, of the Executive Committee to raise funds for the relief of impoverished and homeless European lawyers, reports that following its appointment letters were sent to each member of the Association, and to the Secretary of each state and local Bar Association in the United States, calling attention to the need of immediate help for these professional brethren, and enclosing therein excerpts from letters received by a member of the Association from Edward S. Cox-Sinclair, Esq., of London, England, which cited specific instances of need in that country.

The appeal resulted in the receipt by the Treasurer of the Association of the sum of \$12,673.67. A sub-committee was duly appointed to attend to the distribution of funds, the sub-committee consisting of the Chairman of the whole committee and Simeon E. Baldwin, of Connecticut, Alton B. Parker, of New York, and Francis Rawle, of Pennsylvania. After due consideration the sub-committee decided to make remittance to England, as advices from that country first directed attention to the distressing condition of Belgian lawyers there in refuge, and of whom there are more than four hundred.

Accordingly, the sub-committee designated Lord Justice Phillimore, Lord Justice of Appeal, and J. Arthur Barratt, an American citizen resident in London, as distributing agents, and on March 20, 1915, transmitted to them the sum of £1500 for distribution among the beneficiaries contemplated by the resolution of the Executive Committee of January 9, 1915, and on June 15, 1915, the further sum of £1000 for like purposes. The second remittance was with the express recommendation that applications

for aid from France be considered by Lord Justice Phillimore and Mr. Barratt. A letter from Lord Justice Phillimore dated June 14, 1915, is annexed hereto.

The funds were welcomed in London with profound gratitude, and some interesting details of the work accomplished have been set forth in the July *Journal* of the Association, which also contains an itemized account of the Treasurer's receipts and disbursements.

Respectfully submitted,

JOSEPH H. CHOATE,
Chairman.

APPENDIX

ROYAL COURTS OF JUSTICE,

LONDON, W. C., 14 June, 1915.

The Honble. Joseph H. Choate, Wall Street, New York.

DEAR MR. CHOATE: It may be convenient that I should report progress in respect of our stewardship.

The first thing which Mr. Barratt and I did was to prepare a letter of which I send you a print, and to get it published by such newspapers as we thought would be read by those who should be the objects of your bounty. Thereupon we received, and are still receiving numerous applications. Some few at the beginning were from English solicitors. But though the applicants had apparently suffered heavily through the war, they had not been rendered homeless. So we ruled them out.

We have given a small grant to a Russian who had been admitted to the Belgian Bar and had fled to this country. Otherwise all our applications have come from and all our direct grants have been made to Belgian lawyers and their families.

But we have in pursuance, as we understood, of your wishes remitted £100 to Mr. Harper for his Paris committee. He will no doubt in due course tell you how that has been expended.

Including this £100 we have disposed of £913.

The first cases which we considered were those brought before us by Mr. Cox-Sinclair and his committee. We have made grants amounting to £150 to this committee to enable it to make some weekly payments to cases already on its books. As to further cases we have taken Mr. Cox-Sinclair's recommendations, examined the cases for ourselves, and made such grants as we thought right.

We next came into contact with a committee presided over by Mr. Fladgate and formed for the distribution of a sum of £1000, collected through the *Pall Mall Gazette*. Mr. Morris who has been working under Mr. Fladgate has rendered us great assistance. We have worked with this committee and have found it a convenient arrangement to disburse some of our grants through it. But we have examined every case for ourselves, and I may add that Mr. Barratt has taken infinite trouble in the matter. The funds of Mr. Fladgate's committee are now nearly exhausted.

The largest grant we have made is a sum of £25. Most have been less.

We find that we have relieved 64 families, comprising 216 persons. The applicants are most reluctant to parade their needs and we find them living on very scanty allowances, and waiting to the last moment to apply to us. It is difficult to find work for them and many are taking the smallest positions.

In general we have had to confine ourselves to making grants for temporary support till some salaried position was obtained, or for clothing for the family, or medical expenses, especially those of confinements.

We are afraid that in many cases this temporary relief will be insufficient, and if we had sufficient funds, we should like to do what Mr. Cox-Sinclair's committee began doing, that is, make periodical payments, supplementing the scanty means of subsistence of those families.

Mr. Harper informs us that there is a prospect of a further remittance of money by your committee. If the American bounty is thus increased there is, we fear, no doubt that there will be objects on which it can be bestowed.

We are, however, a little embarrassed by Mr. Harper's letter of the 7th inst., of which I enclose a copy.

If you are about to remit further funds you will tell us what you desire us to do with regard to transmitting a portion to the Paris committee.

Yours with all respect sincerely,
(Signed) WALTER G. F. PHILLIMORE.

REPORT OF THE COMMITTEE ON OBITUARIES.

To the American Bar Association:

The Committee on Obituaries reports the names of members of whose deaths the committee has been notified since the last meeting, as follows, viz.:

CANADA.

L'ANGELIER, SIR FRANCOIS.....Quebec.

ALABAMA.

BARNETT, ALBERT E.....Opelika.

CALIFORNIA.

PORTER, VALENTINE MOTT.....Santa Barbara.

WRIGHT, W. S.....Pasadena.

COLORADO.

HOLBROOK, CHARLES C.....Alamosa.

CONNECTICUT.

EASTON, ROBERT T. B.....Litchfield.

JUDSON, STILESBridgeport.

DISTRICT OF COLUMBIA.

CHURCH, JOSEPH B.....Washington.

MCGILL, J. NOTA.....Washington.

IDAHO.

MILLSAPS, JAMES D.....St. Anthony.

STEWART, GEORGE H.....Boise.

ILLINOIS.

BASTRUP, LOUISChicago.

BROWN, PAULChicago.

CUMMINS, JAMES S.....Chicago.

CUSTER, JACOB R.....Chicago.

LEE, BERNARD L.....Chicago.

LOWENTHAL, S. L.....Chicago.

RINAKER, JOHN I.....Carlinville.

ROGERS, GEORGE MILLS.....Chicago.

SIMMONS, RUFUS S.....Chicago.

STEELE, PERCIVALEast St. Louis.

INDIANA.

JAMESON, OVID B.....Indianapolis.

IOWA.

CLIGGETT, JOHNMason City.

McCLAIN, EMLINIowa City.

PARKER, ALONZO C.....Des Moines.

KENTUCKY.

MANN, RAYLouisville.

MILLER, R. A.....Owensboro.

LOUISIANA.

PARKERSON, WILLIAM S.....New Orleans.

RAINOLD, FRANK E.....New Orleans.

MAINE.

LIBBY, CHARLES F.....Portland.

PERRY, STEPHEN C.....Portland.

MARYLAND.

BOND, NICHOLAS P.....Baltimore.

HAYES, THOMAS G.....Baltimore.

HUBNER, HENRY H.....Baltimore.

WOLFF, OSCARBaltimore.

MASSACHUSETTS.

BLOOD, CHARLES H.....Fitchburg.

DICKINSON, M. F.....Boston.

GRAY, JOHN C.....Boston.

HARRIS, HENRY F.....Worcester.

MYERS, JAMES J.....Boston.

McEVoy, JOHN W.....Lowell.

NILES, WILLIAM H.....Lynn.

SLOCUM, WINFIELD SCOTT.....Boston.

THAYER, EZRA R.....Cambridge.

WHITE, LUTHERChicopee.

MINNESOTA.

DOUGLAS, MARIONDuluth.

ECKSTEIN, JOSEPH A.....New Ulm.

THOMPSON, CHARLES T.....Minneapolis.

MISSOURI.

DONALDSON, WILLIAM R., JR.....St. Louis.

GARNER, JAMES W.....Kansas City.

HOLMES, J. M.....St. Louis.

TAYLOR, SENECA N.....St. Louis.

NEBRASKA.

WEATHERBY, E. P.....	Norfolk.
HOLLENBECK, CONRAD	Fremont.
LANGDON, MARTIN	Omaha.
MUNGER, W. H.....	Omaha.
TEMPLIN, JOHN W.....	St. Paul.

NEW HAMPSHIRE.

CROSS, DAVID	Manchester.
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NEW JERSEY.

TERRELL, WILLIAM J.....	Burlington.
VOORHEES, WILLARD P.....	New Brunswick.

NEW MEXICO.

DOUGHERTY, HARRY M.....	Socorro.
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NEW YORK.

AMEND, HAROLD	New York.
BINNEY, HAROLD	New York.
BROOKS, JAMES B.....	Syracuse.
BURKE, JOHN HENRY.....	Ballston Spa.
BURE, JOSEPH A.....	Brooklyn.
CADWALADER, JOHN L.....	New York.
CURTUS, GEORGE M.....	New York.
DEERING, JAMES A.....	New York.
EINSTEIN, B. F.....	New York.
FULLER, PAUL	New York.
HUBBARD, THOMAS H.....	New York.
IVINS, WILLIAM M.....	New York.
JAY, WILLIAM	New York.
KEMPNER, OTTO	Brooklyn.
LINSON, JOHN J.....	Kingston.
LITTLEFIELD, CHARLES E.....	New York.
MATHEWSON, CHARLES FREDERICK.....	New York.
MILNOR, M. CLELAND.....	New York.
MURPHY, DANIEL V.....	Buffalo.
O'NEILL, GEORGE FRANCIS	New York.
PARSONS, JOHN E.....	New York.
SHIPMAN, ANDREW J.....	New York.
TERRY, EDWARD S.....	New York.

OHIO.

DICKSON, WILLIAM L.....	Cincinnati.
DURBAN, FRANK A.....	Zanesville.
PECK, HIRAM D.....	Cincinnati.
RANNEY, HENRY CLAY.....	Cleveland.
SAYLER, JOHN RIMER.....	Cincinnati.
WILKIN, J. FOSTER.....	Columbus.

OKLAHOMA.

FECHHEIMER, CHARLES M.....Chickasha.

PENNSYLVANIA.

BERTOLETTE, FREDERICKMauch Chunk.
 BIDDLE, CALDWELL K.....Philadelphia.
 BLOOD, CYRUS H.....Brookville.
 CLARK, CHARLES B.....Altoona.
 DECHEET, HENRY T.....Philadelphia.
 DICKSON, SAMUELPhiladelphia.
 ELKIN, JOHN P.....Indiana.
 EVANS, ROWLANDPhiladelphia.
 GREENLAND, JOSEPH L.....Philadelphia.
 HAYES, WILLIAM M.....West Chester.
 HENDRY, JOHN BURKE.....Philadelphia.
 HENSEL, WILLIAM UHLER.....Lancaster.
 HYNEMAN, SAMUEL MORRIS.....Philadelphia.
 JONES, JOHN R.....Scranton.
 KELL, JOHN F.....York.
 KIRKPATRICK, SAMUEL H.....Philadelphia.
 LAMBERTON, JAMES M.....Harrisburg.
 PIATT, JAMES W.....Tunkhannock.
 PHILLIPS, ALFRED INGERSOLL.....Philadelphia.
 ROSENWEIG, LOUISErie.
 SMITH, A. LEWIS.....Philadelphia.
 TOWNSEND, CHARLES C.....Philadelphia.

RHODE ISLAND.

EDWARDS, SEEBERProvidence.
 FRANCE, ERWIN J.....Woonsocket.
 MOWRY, MARQUISProvidence.

TENNESSEE.

CARROLL, WILLIAM H.....Memphis.
 INGERSOLL, HENRY H.....Knoxville.

VERMONT.

MARTIN, JAMES L.....Brattleboro.
 McCULLOUGH, JOHN G.....No. Bennington.

VIRGINIA.

BARBOUR, P. P.....Gordonville.
 GARNETT, THEODORE S.....Norfolk.
 KEITH, J. A. C.....Warrenton.
 POWERS, MAURICE A.....Richmond.

WASHINGTON.

DORR, CHARLES W.....Seattle.
 DUNPHY, W. H.....Walla Walla.

WEST VIRGINIA.

CROCKETT, Z. W.....	Bluefield.
DORR, C. P.....	Clover Lick.
OGDEN, HOWARD N.....	Charleston.

WISCONSIN.

HAMILTON, C. H.....	Milwaukee.
OGDEN, LEWIS M.....	Milwaukee.
SEAMAN, WILLIAM H.....	Sheboygan.
SICKLESTEEL, DAVID I.....	Stevens Point.

WYOMING.

CLARK, GIBSON	Cheyenne.
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The committee subjoins as part of its report brief biographical notice of Charles Freeman Libby, former President of the Association, and twice a member of its Executive Committee.

Respectfully submitted,

GEORGE WHITELOCK, *Chairman*,
J. NELSON FRIERSON,
CHARLES J. O'CONNOR.

CHARLES FREEMAN LIBBY.

PRESIDENT OF THE ASSOCIATION, 1909-1910.

MEMBER OF THE EXECUTIVE COMMITTEE, 1900-1903; 1906-1909.

Mr. Libby, second son of James B. and Hannah C. (Morrill) Libby, was born in Limerick, Maine, January 31, 1844, and died in Cape Elizabeth, June 3, 1915. On December 9, 1869 he married Alice Williams, daughter of Bion and Alice H. (Williams) Bradbury. His widow and two of their four children survive him.

He graduated at Bowdoin College in 1864, at the Law School of Columbia University in 1866, and was immediately admitted to the Bar. Then he spent two years in European travel, and took special courses in Paris and Heidelberg. On his return he established himself in the practice of his profession in Portland, Maine, and there remained in active work to the end of his life.

His talents, learning and skill received speedy recognition, and his services were in constant demand, not only in matters strictly legal, but in many other directions. In educational

affairs he was vitally interested, serving on the Superintending School Committee of his city for a long term, and on the Board of Overseers of his college twenty-four years, being its president for nearly all of that time. His fellow citizens elected him mayor of Portland, and repeatedly sent him to represent them in the Maine Senate; and this body, more than once, chose him to preside over its deliberations. He was successively the legal adviser of his city and his county, and was attorney for many large and important corporations. He was president of the Portland Street Railway Company, and under his wise management it rose from weakness to strength and prosperity, reaching out into suburban regions, and furnishing the public with hitherto unknown facilities for travel. He was president of the Cumberland Bar Association, of the Maine State Bar Association, and, finally, of this national body. That he did not wear the ermine of the United States courts was due to the supposed exigencies of a national political situation.

In other than professional relations he was the recipient of many honors. Of these the most notable were his creation by the French Government as *Officier de l'Academie Francaise* in 1907, and the doctorate of laws, conferred by Bowdoin College in 1902.

He was a member of many societies, social, professional, and scholastic, and the leading spirit in most of them. He was an ardent and discriminating buyer of fine books and engravings, and possessed one of the best libraries and the best collection of prints in the state.

Bred in luxury, and with financial resources much greater than those of most of his associates, he never showed any disposition to yield to the allurements of idleness; but, from his youth was devoted to the improvement of his mind, and the advancement of exalted ideals. His scholarship placed him at the head of his classes in the preparatory and college courses; and the lead thus gained was kept throughout his career. His interests were of the widest—literature, art, music, mechanics, horticulture were favorite diversions; but, far from permitting them to distract his attention from the serious demands of his profession, he made them contributory to his success in his chosen work. In the field of legal practice he was a wise counselor and an eloquent and con-

vincing advocate. His penetration went straight to the heart of the subject, his comprehensive grasp included its multitudinous details, his ingenuity instinctively marshaled the facts in the most favorable array, and his alert perception anticipated the possibilities of opposition. His large vocabulary was at instant command, his diction admirably adapted to the expression of his thoughts, and his delivery direct, forceful and impressive.

His fine features, genial expression, dignified and confident carriage, and striking personality immediately attracted attention, which inevitably ripened into admiration, as acquaintance grew; for the physical was but a reflection of the spiritual nature of the man.

The death of this scholarly, accomplished gentleman closed a long and brilliant career, which was characterized by capacity, integrity, courage, forcefulness, and wisdom—the attributes which make for the best type of citizenship. To a far greater degree than most men he had the happy fate of knowing that his sterling qualities were appreciated by the community; and he has left a record of honorable achievement, not only in the annals of many public and private organizations, but in the hearts of the great company of friends, who revered and loved him, and to whom his memory is a precious heritage.

LIST OF STATE BAR ASSOCIATIONS

NOTE.—This list has been compiled by the Secretary of the American Bar Association from replies to circulars sent out. Where replies to the circulars have not been received, and the officers for 1915-16 are not known, the officers for former years are given.

Local (County and City) Bar Associations have been omitted. For information concerning them, see A. B. A. Report (1911) page 577 *et seq.*

NAME.	PRESIDENT.	SECRETARY.
Alabama State Bar Association.	C. S. McDowell, Jr., Eufaula.	Alexander Troy, Montgomery.
Arizona Bar Association.	P. W. O'Sullivan, Prescott.	J. E. Nelson, Phoenix.
Bar Association of Arkansas.	Ira D. Oglesby, Fort Smith.	Roscoe R. Lynn, Little Rock.
California Bar Association.	Robt. M. Fitzgerald, Oakland.	T. W. Robinson, Los Angeles.
Colorado Bar Association.	John D. Fleming, Boulder.	William H. Wadley, Denver.
State Bar Association of Connecticut.	Charles Phelps, Rockville.	James E. Wheeler, New Haven.
Delaware State Bar Association.	Benjamin Nields, Wilmington.	T. Bayard Helsel, Wilmington.
Bar Association of the District of Columbia.	Wm. Meyer Lewin, Washington.	Edwin L. Wilson, Washington.
Florida State Bar Association.	Thomas F. West, Tallahassee.	John C. Cooper, Jr., Jacksonville.
Georgia Bar Association.	George W. Owens, Savannah.	Orville A. Park, Macon.
Bar Association of the Hawaiian Islands.	Henry Holmes, Honolulu.	E. W. Sutton, Honolulu.
Idaho State Bar Association.	Karl Paine, Boise.	Benjamin S. Crow, Boise.
Illinois State Bar Association.	N. W. MacChesney, Chicago.	John F. Voigt, Mattoon.
State Bar Association of Indiana.	Robt. W. McBride, Indianapolis.	George H. Batchelor, Indianapolis.
Iowa State Bar Association.	A. N. Hobson, West Union.	H. C. Horack, Iowa City.
Bar Association of the State of Kansas.	C. L. Kagey, Beloit.	D. A. Valentine, Topeka.
Kentucky State Bar Association.	Alex. P. Humphrey, Louisville.	J. Verser Conner, Louisville.
Louisiana Bar Association.	Edward T. Weeks, New Iberia.	Wynne G. Rogers, New Orleans.

NAME.	PRESIDENT.	SECRETARY.
Maine State Bar Association.	Fred. J. Allen, Sanford.	Norman L. Bassett, Augusta.
Maryland State Bar Association.	Hammond Urner, Frederick.	J. W. Chapman, Jr., Baltimore.
Massachusetts Bar Association.	Henry N. Sheldon, Boston.	Frank W. Grinnell, Boston.
Michigan State Bar Association.	Wm. L. Carpenter, Detroit.	Harry A. Silsbee, Lansing.
Minnesota State Bar Association.	Stiles W. Burr, St. Paul.	Chester L. Caldwell, St. Paul.
Mississippi State Bar Association.	R. B. Campbell, Greenville.	Jas. R. McDowell, Jackson.
Missouri Bar Association.	Frank M. McDavid, Springfield.	George H. Daniel, Springfield.
Montana Bar Association.	Harry H. Parsons, Missoula.	Vere L. McCarthy, Helena.
Nebraska State Bar Association.	C. J. Smyth, Omaha.	Alfred G. Ellick, Omaha.
Nevada Bar Association.	Robert G. Withers, Reno.	Edw. F. Lunsford, Reno.
Bar Association of the State of New Hampshire.	Stephen S. Jewett, Laconia.	Arthur H. Chase, Concord.
New Jersey State Bar Association.	John R. Hardin, Newark.	William J. Kraft, Camden.
New Mexico Bar Association.	M. E. Hickey, Albuquerque.	Nellie C. Pierce, Albuquerque.
New York State Bar Association.	A. T. Clearwater, Kingston.	F. E. Wadhams, Albany.
North Carolina Bar Association.	Harry Skinner, Greenville.	Thomas W. Davis, Wilmington.
Bar Association of North Dakota.	B. W. Shaw, Mandan.	Oscar J. Seller, Jamestown.
Ohio State Bar Association.	Charles R. Miller, Cleveland.	Charles M. Buss, Cleveland.
Oklahoma State Bar Association.	George S. Ramsey, Muskogee.	W. A. Lybrand, Oklahoma City.
Oregon Bar Association.	C. W. Fulton, Portland.	Albert B. Ridgway, Portland.
Pennsylvania Bar Association.	George B. Gordon, Pittsburgh.	William H. Staake, Philadelphia.
The Rhode Island Bar Association.	Richd. B. Comstock, Providence.	Howard B. Gorham, Providence.
South Carolina Bar Association.	J. Lyles Glenn, Chester.	W. C. McGowan, Columbia.
South Dakota Bar Association.	John B. Hanten, Watertown.	John H. Voorhees, Sioux Falls.
Bar Association of Tennessee	Charles N. Burch, Memphis.	Charles H. Smith, Knoxville.
Texas Bar Association.	John L. Dyer, El Paso.	J. W. Kincaid, Dallas.

NAME.	PRESIDENT.	SECRETARY.
State Bar Association of Utah.	H. R. Macmillan, Salt Lake City.	William H. Leary, Salt Lake City.
Vermont Bar Association.	John W. Gordon, Barre.	John H. Mimms, Burlington.
Virginia State Bar Association.	Eppa Hunton, Jr., Richmond.	John B. Minor, Richmond.
Washington State Bar Association.	Mack F. Gose, Pomeroy.	C. Will Shaffer, Olympia.
West Virginia Bar Association.	J. W. Vandervort, Parkersburg.	Charles McCamic, Wheeling.
State Bar Association of Wisconsin.	Geo. B. Hudnall, Superior.	George E. Morton, Milwaukee.
Wyoming State Bar Association.	C. P. Arnold, Laramie.	M. A. Kline, Cheyenne.
Far Eastern American Bar Association	Chas. S. Lobingier, Shanghai, China.	(Vacant.)

MEMORANDUM OF SUBJECTS REFERRED TO COMMITTEES

EXECUTIVE COMMITTEE.

Concerning organization of International Supreme Judicial Court. Page 15.

Appropriation for special work to be done by Committee on Commerce, Trade and Commercial Law. Page 22.

Extension of time of annual meeting from three to four days. Page 40.

Extension of Accommodations for Supreme Court of the United States. Page 47.

SPECIAL COMMITTEE ON REORGANIZATION.

Admission of women to membership. Page 55.

ANNUAL ADDRESSES

YEAR.	NAME.	SUBJECT.
1879.	EDWARD J. PHELPS.....	John Marshall.
1880.	CORTLANDT PARKER	Alexander Hamilton and William Paterson.
1881.	CLARKSON N. POTTER.....	Roger Brooke Taney.
1882.	ALEXANDER R. LAWTON.....	James Lewis Petigru and Hugh Swinton Legaré.
1883.	JOHN W. STEVENSON.....	James Madison.
1884.	JOHN F. DILLON.....	American Institutions and Laws.
1885.	GEORGE W. BIDDLE.....	An Inquiry into the Proper Mode of Trial.
1886.	THOMAS J. SEMMES.....	The Civil Law and Codification.
1887.	HENRY HITCHCOCK.....	General Corporation Laws.
1888.	GEORGE HOADLY.....	Codification.
1889.	SIMEON E. BALDWIN.....	The Centenary of Modern Government.
1890.	JAMES C. CARTER.....	The Ideal and the Actual in the Law.
1891.	ALFRED RUSSELL	Avoidable Causes of Delay and Uncertainty in our Courts.
1892.	J. RANDOLPH TUCKER.....	British Institutions and American Constitutions.
1893.	HENRY B. BROWN.....	The Distribution of Property.
1894.	MOORFIELD STOREY.....	The American Legislature.
1895.	WILLIAM H. TAFT.....	Recent Criticism of the Federal Judiciary.
1896.	LORD RUSSELL OF KILLOWEN, Lord Chief Justice of Eng- land	International Law and Arbitration.
1897.	JOHN W. GRIGGS.....	Lawmaking.
1898.	JOSEPH H. CHOATE.....	Trial by Jury.
1899.	WILLIAM LINDSAY	Power of the United States to Acquire and Govern Foreign Territory.
1900.	GEORGE R. PECK.....	The March of the Constitution.
1901.	CHARLES E. LITTLEFIELD.....	The Insular Cases.
1902.	JOHN G. CARLISLE.....	The Power of the United States to Acquire and Govern Territory.

YEAR.	NAME.	SUBJECT.
1903.	LE BARON B. COLT.....	Law and Reasonableness.
1904.	AMOS M. THAYER.....	The Louisiana Purchase; Its influence and Development Under American Rule.
1905.	ALFRED HEMENWAY	The American Lawyer.
1906.	ALTON B. PARKER.....	The Congestion of Law.
1907.	RT. HON. JAMES BRYCE, British Ambassador to the United States	The Influence of National Character and Historical Environment on the Development of the Common Law.
1908.	GEORGE TURNER	The Acquisition of the Pacific Northwest.
1909.	AUGUSTUS E. WILLSON.....	The People and Their Law.
1910.	WOODROW WILSON	The Lawyer and the Community.
1911.	WILLIAM B. HOENBLOWER....	Anti-Trust Legislation and Litigation.
1912.	FRANK B. KELLOGG	New Nationalism.
1913.	RT. HON. RICHARD BURDON HALDANE, Lord High Chancellor of Great Britain.....	Higher Nationality. A Study in Law and Ethics.
1914.	ELIHU ROOT	The Layman's Criticism of the Lawyer.
1915.	JOSEPH W. BAILEY.....	The American Judiciary.

PAPERS READ

YEAR.	NAME.	SUBJECT.
1879.	CALVIN G. CHILD.....	Shifting Uses, from the Standpoint of the Nineteenth Century.
1879.	HENRY HITCHCOCK.....	The Inviolability of Telegrams.
1879.	GEORGE A. MEROCE.....	The Relationship of Law and National Spirit.
1880.	HENRY E. YOUNG.....	Sunday Laws.
1880.	GEORGE TUCKER BISPHAM....	Rights of Material Men and Employees of Railroad Companies as against Mortgagees.
1880.	HENRY D. HYDE.....	Extradition between the States.
1881.	THOMAS M. COOLEY.....	The Recording Laws of the United States.
1881.	SAMUEL WAGNER.....	The Advantages of a National Bankrupt Law.
1882.	GUSTAVE KOERNER	The Doctrine of Punitive Damages and its Effect on the Ethics of the Profession.
1882.	U. M. ROSE.....	Titles of Statutes.
1882.	THOMAS J. SEMMES.....	The Civil Law as Transplanted in Louisiana.
1883.	ROBERT G. STREET.....	How far Questions of Public Policy may enter into Judicial Decisions.
1883.	JOHN M. SHIRLEY.....	The Future of our Profession.
1883.	SIMMON E. BALDWIN.....	Preliminary Examinations in Criminal Proceedings.
1883.	SEYMOUR D. THOMPSON.....	Abuses of the Writ of Habeas Corpus.
1884.	ANDREW ALLISON	The Rise and Probable Decline of Private Corporations in America.
1884.	M. DWIGHT COLLIER.....	Stock Dividends and their Restraining.
1884.	SIMON STERNE	The Prevention of Defective and Slipshod Legislation.
1885.	RICHARD M. VENABLE.....	Partition of Powers between the Federal and State Governments.
1885.	REUBEN C. BENTON.....	The Distinction between Legislative and Judicial Functions.
1885.	FRANCIS RAWLE	Car Trust Securities.

YEAR.	NAME.	SUBJECT.
1886.	JOHNSON T. PLATT.....	The Opportunity for the Development of Jurisprudence in the United States.
1886.	WILLIAM P. WELLS.....	The Dartmouth College Case and Private Corporations.
1886.	JOHN F. DILLON.....	Law Reports and Law Reporting.
1887.	HENRY JACKSON	Indemnity the Essence of Insurance; Causes and Consequences of Legislation qualifying this Principle.
1887.	JAMES K. EDSALL.....	The Granger Cases and the Police Power.
1888.	J. RANDOLPH TUCKER.....	Congressional Power over Interstate Commerce.
1888.	J. M. WOOLWORTH.....	Jurisprudence Considered as a Branch of the Social Science.
1889.	HENRY B. BROWN.....	Judicial Independence.
1889.	WALTER B. HILL.....	The Federal Judicial System.
1890.	HENRY C. TOMPKINS.....	The Necessity for Uniformity in The Laws Governing Commercial Paper.
1890.	DWIGHT H. OLMSTEAD.....	Land Transfer Reform.
1890.	JOHN F. DUNCOMBE.....	Election Laws.
1891.	FREDERICK N. JUDSON.....	Liberty of Contract under the Police Power.
1891.	W. B. HORNBLOWER.....	The Legal Status of the Indian.
1892.	JOHN W. CARY.....	Limitations of the Legislative Power in Respect to Personal Rights and Private Property.
1892.	WILLIAM L. SNYDER.....	The Problem of Uniform Legislation.
1893.	HENRY WADE ROGERS.....	The Treaty-Making Power.
1893.	W. W. MCFARLAND.....	The Evolution of Jurisprudence.
1893.	U. M. ROSE.....	Trusts and Strikes.
1894.	HAMPTON L. CARSON.....	Great Dissenting Opinions.
1894.	CHARLES CLAFLIN ALLEN....	Injunction and Organized Labor.
1895.	WILLIAM WIET HOWE.....	Historical Relation of the Roman Law to the Law of England.
1895.	RICHARD WAYNE PARKER....	The Tyrannies of Free Government, or the Modern Scope of Constitutional Guarantees of Liberty and Property.
1896.	JAMES M. WOOLWORTH.....	The Development of the Law of Contracts.
1896.	JOSEPH B. WARNER.....	The Responsibilities of the Lawyer.
1896.	MONTAGUE CRACKANTHORPE, of the English Bar.....	The Uses of Legal History.

YEAR.	NAME.	SUBJECT.
1897.	ROBERT MATHER	Constitutional Construction and the Commerce Clause.
1897.	EUGENE WAMBAUGH	The Present Scope of Government.
1898.	LYMAN D. BREWSTER.....	Uniform State Laws.
1898.	L. C. KRAUTHOFF.....	Malice as an Ingredient of a Civil Cause of Action.
1899.	EDWARD Q. KEASREY.....	New Jersey and the Great Corporations.
1899.	SIR WM. RANN KENNEDY, Judge of the High Court of Judicature	The State Punishment of Crime.
1900.	EDWARD AVERY HARRIMAN...	<i>Ultra Vires</i> Corporation Leases.
1900.	JOHN BASSETT MOORE.....	A Hundred Years of American Diplomacy.
1900.	RICHARD M. VENABLE.....	Growth or Evolution of Law.
1901.	RICHARD C. DALE.....	Implied Limitations upon the Exercise of the Legislative Power.
1901.	HENRY D. ESTABROOK.....	The Lawyer, Hamilton.
1901.	CHARLES J. HUGHES, JR.....	The Evolution of Mining Law.
1901.	PLATT ROGERS	The Law of New Conditions— Illustrated by the Law of Irrigation.
1902.	M. D. CHALMERS, Parliamentary Counsel to the Treasury (England)...	Codification of Mercantile Law.
1902.	AMASA M. EATON.....	The Origin of Municipal Incorporation in England and in the United States.
1902.	EMLIN MCCLAIN	The Evolution of the Judicial Opinion.
1903.	SIR FREDERICK POLLOCK, of the English Bar.....	English Law Reporting.
1903.	WILLIAM A. GLASGOW, JR....	A Dangerous Tendency of Legislation.
1904.	J. M. DICKINSON.....	The Alaskan Boundary Case.
1904.	BENJAMIN F. ABBOTT.....	To What Extent will a Nation Protect its Citizens in Foreign Countries?
1905.	RICHARD LOCKHART HAND....	Government by the People.
1906.	ROSCOE POUND	The Causes of Popular Dissatisfaction with the Administration of Justice.
1906.	JOHN J. JENKINS.....	Can Congress Transfer to the States its Power to Regulate Commerce?
1906.	THOMAS J. KERNAN.....	The Jurisprudence of Lawlessness.

YEAR.	NAME.	SUBJECT.
1906.	GEORGE B. DAVIS.....	Some Recent Progress in International Law.
1907.	CHARLES F. AMIDON.....	The Nation and the Constitution.
1907.	CHARLES A. PROUTY.....	A Fundamental Defect in the Act to Regulate Commerce.
1908.	CORNELIUS H. HANFORD.....	National Progression and the Increasing Responsibilities of Our National Judiciary.
1908.	EDGAR H. FARRAR.....	The Extension of the Admiralty Jurisdiction by Judicial Interpretation.
1908.	FREDERICK BAUSMAN	Are Our Laws Responsible for the Increase of Violent Crime?
1909.	GEORGES BARREY	French Family Law.
1909.	JULIAN W. MACK.....	Juvenile Courts.
1909.	WILLIAM L. CARPENTER.....	Courts of Last Resort.
1910.	W. A. HENDERSON.....	The Development of the Honorarium.
1910.	CHARLES W. MOORES.....	The Career of a Country Lawyer—Abraham Lincoln.
1911.	JUSTICE HENRY B. BROWN, Retired	The New Federal Judicial Code.
1911.	ROBERT S. TAYLOR.....	Equity Rules 33, 34 and 35.
1912.	GEORGE SUTHERLAND	The Courts and the Constitution.
1912.	SYMPOSIUM	The American Judicial System.
	HENRY D. ESTABROOK.....	(a) The Judges.
	JOSEPH C. FRANCE.....	(b) The Lawyers.
	FREDERICK N. JUDSON.....	(c) The Procedure.
1913.	WILLIAM H. TAFT.....	The Selection and Tenure of Judges.
1913.	SYMPOSIUM	The Struggle for Simplification of Legal Procedure.
	WILLIAM C. HOOK.....	(a) Some Causes.
	N. CHARLES BURKE.....	(b) Legal Procedure and Social Unrest.
	WILLIAM A. BLOUNT.....	(c) The Goal and Its Attainment.
1914.	RT. HON. SIR CHARLES FITZPATRICK, Chief Justice of the Dominion of Canada...	The Constitution of Canada.
1914.	RT. HON. RÓMULO S. NAÓN, Ambassador from the Argentine Republic to the United States	The Argentine Constitutional Ideas.
1915.	SIMEON E. BALDWIN.....	Changes in International Law.
1915.	FELIX FRANKFURTER.....	The Law and the Law School.

PAPERS READ SECTION OF LEGAL EDUCATION

YEAR.	NAME.	SUBJECT.
1893.	AUSTIN ABBOTT	Existing Questions of Legal Education.
1893.	SAMUEL WILLISTON	Legal Education.
1893.	EMLIN MCCLAIN	The Best Method of Using Cases in Teaching Law.
1894.	HENRY WADE ROGERS.....	Annual Address as Chairman.
1894.	JOHN F. DILLON.....	The True Professional Ideal.
1894.	JOHN D. LAWSON.....	Some Standards of Legal Education in the West.
1894.	SIMEON E. BALDWIN.....	Law School Libraries, and How to Use Them.
1894.	WOODROW WILSON	Legal Education of Undergraduates.
1894.	JOHN H. WIGMORE.....	A Principal of Orthodox Legal Education.
1894.	EDMUND WETMORE	Some of the Limitations and Requirements of Legal Education in the United States
1894.	WILLIAM A. KEENER.....	The Inductive Method in Legal Education.
1895.	JAMES B. THAYER.....	Address as Chairman, on The Teaching of English Law at Universities.
1895.	ERNEST W. HUFFCUT.....	The Relation of the Law School to the University.
1895.	DAVID J. BREWER.....	A Better Education the Great Need of the Profession.
1895.	LYMAN ABBOTT	The Relation of Law to Our National Development.
1895.	NATHAN S. DAVIS.....	The Importance of the Study of Medical Jurisprudence by Students of Law, and the Extent to which it should be Taught in Schools and Colleges for the Education of such Students.
1896.	EMLIN MCCLAIN	Address as Chairman, on The Law Curriculum.

YEAR.	NAME.	SUBJECT.
1896.	CHARLES M. CAMPBELL.....	The Necessity and Importance of the Study of Common-Law Procedure in Legal Education.
1896.	BLEWETT LEE	Teaching Practice in Law Schools.
1896.	JAMES FAIRBANKS COLBY....	The Collegiate Study of Law.
1896.	AUSTEN G. FOX.....	Two Years' Experience of the New York State Board of Law Examiners.
1896.	J. W. POWELL.....	On Primitive Institutions.
1896.	JOHN RANDOLPH TUCKER....	What is the Best Training for the American Bar of the Future?
1896.	GEORGE HENRY EMMOTT.....	Legal Education in England.
1897.	HENRY E. DAVIS.....	Primitive Legal Conceptions in Relation to Modern Law.
1897.	JOHN A. FINCH.....	The Law of Insurance in the Law School.
1897.	CHARLES NOBLE GREGORY....	The Wage of the Law Teacher.
1898.	SIMEON E. BALDWIN.....	Address as Chairman, on the Re-adjustment of the Collegiate to the Professional Course.
1898.	EDWARD A. HARRIMAN.....	Educational Franchises.
1898.	CHARLES W. NEEDHAM.....	Schools of Law: The Subjects, Order and Method of Study.
1899.	WILLIAM WIRT HOWE.....	Address as Chairman, on The Study of Comparative Jurisprudence.
1899.	THOMAS BARCLAY	The Teaching of the Law in France.
1899.	N. W. HOYLES, Q. C.....	Legal Education in Canada.
1899.	JOSEPH WALTON, Q. C.....	Notes on the Early History of Legal Studies in England.
1900.	CHARLES NOBLE GREGORY....	Address as Chairman, on the State of Legal Education in the World.
1900.	HARRY B. HUTCHINS.....	The Law School as a Factor in University Education.
1900.	WILLIAM DRAPER LEWIS....	The Proper Preparation for the Study of Law.
1901.	NATHAN ABBOTT	The Undergraduate Study of Law.
1901.	CLARENCE D. ASHLEY.....	Legal Education and Preparation Therefor.
1901.	RALEIGH C. MINOR.....	The Graduating Examination in the Law School.

YEAR.	NAME.	SUBJECT.
1901.	HARRY SANGER RICHARDS....	Shall Law Schools Give Credit for Office Study?
1901.	WILLIAM P. ROGERS.....	Is Law a Field for Woman's Work?
1902.	ERNEST W. HUFFCUT.....	A Decade of Progress in Legal Education.
1902.	HENRY S. REDFIELD.....	A Defect in Legal Education.
1902.	FRANKLIN M. DANAHER.....	Courses of Study for Law Clerks.
1903.	LAWRENCE MAXWELL, JR.....	Examinations for the Bar.
1903.	JAMES B. SCOTT.....	The Place of International Law in Legal Education.
1904.	JAMES BARR AMES.....	Address as Chairman; Reviewing the actions on legal education of the Association, the Committees on Legal Education and the Section of Legal Education, since 1879.
1904.	GEORGE W. KIRCHWEY.....	The Education of the American Lawyer.
1905.	LAWRENCE MAXWELL, JR.....	Address as Chairman; Advocating a higher standard of general education for admission to the Bar.
1905.	NATHAN ABBOTT	Some Questions before American Law Schools.
1905.	JAMES PARKER HALL.....	Practice Work and Elective Studies in the Law School.
1905.	LUCIEN H. ALEXANDER.....	Some Admission Requirements Considered Apart from Educational Standards.
1906.	WILLIAM DRAPER LEWIS.....	Address as Chairman; Legal Education and the Failure of the Bar to Perform its Public Duties.
1906.	EUGENE A. GILMOE.....	The Relation of the University to Professional Instruction in Law.
1906.	MARK NORRIS	Some Notions about Legal Education.
1906.	GEORGE W. WALL.....	The State Bar Examiner and the Law School.
1907.	ROSCOE POUND	Address as Chairman; The Need of a Sociological Jurisprudence.
1907.	WILLIAM R. VANCE.....	Legal Education in the South.

YEAR.	NAME.	SUBJECT.
1908.	SAMUEL WILLISTON	Address as Chairman; The Necessity of Idealism in Teaching Law.
1908.	WILLIAM SCHOFIELD	The Relation of the Law Schools to the Courts.
1908.	KARL VON LEWINSKI.....	The Education of a German Lawyer.
1908.	ANDREW A. BRUCE.....	The Relation of the Bar Examiner to the Law School and Legal Education.
1909.	HARRY S. RICHARDS.....	Address as Chairman: Neglected Phases of Legal Education.
1909.	FRANKLIN M. DANAHUE.....	Some Suggestions for Standard Rules for Admission to the Bar.
1909.	JAMES PARKER HALL.....	The Study of Law by Correspondence.
1910.	WILLIAM O. HART.....	Address as Chairman.
1910.	EDWARD S. COX-SINCLAIR.....	Requirements for admission to the Bar in Great Britain and Her Possessions.
1910.	ANDREW R. MCMASTER.....	Regulations Governing Admission to the Bar in the Province of Quebec, Canada.
1910.	MANUEL RODRIGUEZ-SERRA.....	Admission of Attorneys from the Spanish Standpoint.
1911.	SIMEON E. BALDWIN	The Study of Roman Law in American Law Schools.
1911.	C. LA RUE MUNSON.....	In Memoriam: George Matthews Sharp, LL. D., Chairman-Elect, 1910-11.
1911.	FREDERICK R. COUDERT.....	The Crisis of the Law and Professional Incompetency.
1911.	JOHN B. SANBORN.....	Law Schools and Admission to the Bar.
1912.	JOHN B. WINSLOW.....	The Relation of Legal Education to Simplicity in Procedure.
1912.	HARLAN F. STONE.....	The Importance of Actual Experience at the Bar as a Preparation for Teaching Law.
1912.	CHARLES A. BOSTON.....	The Recent Movement towards a Realization of Ideals in Legal Ethics.
1913.	WILFRED BOVEY, K. C.....	The Control Exercised by the Inns of Court over Admission to the Bar in England.

YEAR.	NAME.	SUBJECT.
1913.	CLARENCE A. LIGHTNER.....	A More Complete Enquiry into the Moral Character of Applicants for Admission to the Bar.
1913.	WILLIAM H. TAFT.....	The Social Importance of Proper Standards for Admission to the Bar.
1913.	EZRA R. THAYER.....	Law Schools and Bar Examinations.

AT CONFERENCE OF STATE BAR EXAMINERS AND LAW SCHOOL TEACHERS HELD UNDER THE AUSPICES OF THE SECTION OF LEGAL EDUCATION.

1914.	ROBERT M. HUGHES	Historical Evolution of the Board of Law Examiners and its Influence on Legal Education.
1914.	I. MAURICE WORMSER	The Results of a Comparative Study of Examination Papers Framed by State Boards of Bar Examiners.
1914.	GEORGE E. BALLHORN.....	The Diploma Privilege.

BEFORE THE REGULAR SESSION OF THE SECTION OF LEGAL EDUCATION.

1914.	CHARLES A. BOSTON.....	Address as Chairman. Some Neglected Fields in Legal Education.
1914.	HAMPTON L. CARSON.....	An Existing Defect in the American System of Legal Education.
1914.	PAUL FULLER	The Probationary Period in France.
1914.	DR. JUR. MECHLENBURG.....	The Training of the Referendar in Germany.
1914.	HAROLD D. HAZELTINE.....	Preserving the Professional Ideal in England.
1915.	CHARLES E. SHEPARD.....	Address as Chairman. The Education of the Lawyer in Relation to Public Service.
1915.	DAVID LEVENTRITT	Practical Methods of Ascertaining the Moral Character of Candidates for Admission to the Bar.

PAPERS READ

SECTION OF PATENT LAW

YEAR.	NAME.	SUBJECT.
1895.	R. S. TAYLOR.....	Patent Law and Practice.
1899.	JAMES H. RAYMOND.....	Address as Chairman.
1899.	LESTER L. BOND.....	Preliminary Injunctions.
1899.	FREDERICK P. FISH.....	The Conditions under which Preliminary Injunctions in Patent Causes should be Granted or Refused.
1899.	E. B. SHERMAN.....	Masters in Chancery.
1899.	ARTHUR STEUART	What Constitutes Invention in the Sense of the Patent Law.
1899.	ROBERT S. TAYLOR.....	Shall There be One or More Special Courts of Last Resort in Patent Causes.
1900.	FREDERICK P. FISH.....	Address as Chairman.
1900.	LYSANDER HILL	Unfair Competition in Trade.
1900.	ARTHUR STEUART.....	Copyright for Design.
1902.	LESTER L. BOND.....	Address as Chairman.
1902.	ARTHUR P. GREELEY.....	Pending Trade-Mark Legislation.
1902.	ARTHUR STEUART	Trade Marks: Criminal Remedy.
1902.	LYSANDER HILL	Preliminary Injunction in Patent Suits.
1902.	HAROLD BINNEY	History and Present Status of the Law Relating to Designs.
1902.	ARTHUR S. BROWNE.....	Patent Litigation from the Expert's Standpoint.
1902.	CHARLES MARTINDALE.....	Evils of the Present System of Producing Evidence in Equity Causes and a Remedy Therefor.
1902.	MELVILLE CHURCH	Is the Entire Jurisdiction of the Circuit Courts in the Matter of Suits for the Infringement of Patents Defined by the Act of March 3, 1897?
1903.	ROBERT H. PARKINSON.....	Concerning Federal Trade-Mark Legislation: Its Needs, Whence and What the Power.

YEAR.	NAME.	SUBJECT.
1903.	J. NOTA MCGILL.....	Liability of Officers of a Corporation for Infringement of a Patent.
1904.	EDMUND WETMORE	Address as Chairman, on Some Suggestions as to Reform in Practice and Procedure in Patent Cases in the Federal Courts.
1904.	WILLIAM W. DODGE.....	A Brief Review of Legislation Proposed at the Latest Session of Congress Pertinent to Patents and Trade-Marks.
1905.	CHARLES H. DUELL.....	Are any changes Desirable in Our Patent System?
1905.	JOSEPH B. CHURCH.....	Needed Reforms in Interference Practice.
1906.	OTTO R. BARNETT.....	The Evolution of the Law of Unjust Trade and Unfair Competition.
1907.	ARTHUR STEUART	Common Law Copyright.
1908.	WALLACE R. LANE.....	Certain Phases of the <i>Prima Facie</i> Rights of the Patentee.
1908.	J. NOTA MCGILL...?	Abolition of Interference Causes in the Patent Office.
1908.	DOUGLAS DYRENFORTH	The Law's Promise to the Patentee and Its Fulfillment.
1909.	JOHN W. HILL.....	Looking Forward.
1910.	HUGH K. WAGNER.....	Mechanical Equivalents.
1910.	GEORGE A. KING.....	Liability of the United States for Use of Patented Inventions; with Special Reference to the Act of Congress Entitled "An Act to Provide Additional Protection for Owners of Patents of the United States and for Other Purposes."
1911.	EDWARD J. PRINDLE.....	The Relation of the Doctrine of Equivalents to the Interpretation of Claims of Patents.
1912.	ARTHUR M. MORSELL.....	The Burden of Proof in Accounting Proceedings in Patent Suits.
1912.	J. NOTA MCGILL.....	Trade Mark Registration.
1913.	ROBERT H. PARKINSON.....	Address as Chairman.
1913.	A. J. WALTER, K. C.....	Procedure at the Trial of Patent Causes in Great Britain.

YEAR.	NAME.	SUBJECT.
1913.	FREDERICK P. FISH.....	Letters Patent in Relation to Modern Industrial Conditions.
1914.	ROBERT H. PARKINSON.....	Address as Chairman.
1914.	EDMUND WETMORE.....	Some Present Aspects of the Pat- ent Law.
1914.	THOMAS EWING	The Contract Theory of Patents
1915.	ROBERT H. PARKINSON.....	Address as Chairman.
1915.	CHARLES E. TOWNSEND.....	The Possibilities of the Right of Discovery in Patent Litiga- tion; Some Recent Judicial Developments.

PAPERS READ

ASSOCIATION OF AMERICAN LAW SCHOOLS

YEAR.	NAME.	SUBJECT.
1902.	JOSEPH H. BEALE, JR.....	The First Year Curriculum of Law Schools.
1903.	SIMEON E. BALDWIN.....	The Study of Elementary Law, a Necessary Stage in Legal Education.
1903.	WILLIAM S. CURTIS.....	Examinations in Law Schools.
1904.	ERNEST W. HUFFOUT.....	Address as President, on The Elective System in Law Schools.
1904.	HARRY S. RICHARDS.....	Entrance Requirements for Law Schools.
1905.		(Joint meeting with Section of Legal Education.)
1906.	HENRY WADE ROGERS.....	Address as President, on Law Schools and Admission to the Bar in the South and Law Degrees.
1906.	FLOYD R. MECHEM.....	The Opportunities and Responsibilities of American Law Schools.
1907.	WILLIAM P. ROGERS.....	Address as President, on the Elevation of the Standard of Admission to the Bar; Courses in Preliminary College Work and the Honor System.
1907.	ALBERT M. KALES.....	The Next Step in the Evolution of the Case Book.
1908.	GEORGE W. KIRCHWEY.....	Address as President, on American Law and the American Law School.
1908.	DAVID STARR JORDAN.....	The University, the College and the School of Law.
1909.	CHARLES NOBLE GREGORY.....	Address as President: The Past and Present of the Association of American Law Schools.
1909.	HAROLD D. HAZELTINE.....	Legal Education in England.

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YEAR.	NAME.	SUBJECT.
1909.	JOHN H. WIGMORE and FREDERICK B. CROSSLEY.....	A Statistical Comparison of College and High School Education as a Preparation for Legal Scholarship.
1909.	HARRY PRATT JUDSON.....	Education Preparatory to a University Law School Course.
1910.	JOHN C. TOWNES.....	Address as President. The Organization and Operation of a Law School.
1910.	WILLIAM MINOR LILE.....	The Honor System.
1910.	WILLIAM DRAPER LEWIS.....	The Honor System.
1911.	WILLIAM R. VANCE.....	The Ultimate Function of the Teacher of Law.
1911.	HARLAN F. STONE.....	The Function of the American University Law School.
1911.	VISCOUNT UCHIDA, Japanese Ambassador to the United States	The Teaching of Jurisprudence in Japan.
1912.	ROSCOE POUND	Address as President: Taught Law.
1912.	WALTER W. COOK.....	The Place of Equity in our Legal System.
1912.	WM. G. HASTINGS	Moot and Practice Courts.
1913.	HENRY N. BATES.....	Address as President.
1913.	EDSON R. SUNDERLAND.....	The Teaching of Practice and Procedure in Law Schools.
1913.	WILLIAM H. TAFT.....	The Social Importance of Proper Standards for Admission to the Bar.
1913.	EZRA R. THAYER.....	Law Schools and Bar Examinations.
1914.	JOSEPH H. BEALE.....	The Necessity for a study of Legal System.
1914.	WM. HERBERT PAGE.....	Professor Ehrlich's Csernowitz Seminar of Living Law.
1914.	WESLEY N. HOFFFIELD.....	A Vital School of Jurisprudence and Law: Have American Universities Awakened to the Enlarged Opportunities and Responsibilities of the Present Day?

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* Deceased.

† Prior to 1896 the Conference was presided over by a Chairman.

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PROCEEDINGS
OF THE
SECTION OF LEGAL EDUCATION

Monday, August 16, 1915, 2.30 P. M.

The Section of Legal Education was called to order by the Chairman, Charles E. Shepard.

FIRST SESSION.

The Chairman :

I feel that I ought to say now what I did not have the opportunity of saying last October in Washington, and that is to express my very great appreciation of the honor conferred upon me in electing me to preside over the Section of Legal Education this year.

I assure you that it was a very genuine surprise to me, in a real sense, and not in a Pickwickian sense, for my activity as a lawyer has been almost altogether in the way of ordinary practice at the Bar, and, while I have felt, and do feel that interest which every lawyer ought to feel in the realm of professional education, I have taken no active part in the meetings of this Section. I can therefore say that I feel both proud and humble at having been chosen to take here the seat which has formerly been held by such eminent jurists as Governor Baldwin, of Connecticut, and Dean Ames, of Hartford University, to mention no others.

There are three elements in the entire field of the Bar, which are and certainly ought to be interested in the deliberations of this Section. They are: the teachers who prepare applicants for admission to the Bar; the state examiners, who test the fitness of applicants for admission to the Bar; and the practising lawyers who absorb them into the general body of the Bar; and the work of this Section should be carried on by all of them. All have their separate points of view, and their interests are to be considered, and those points and those interests have their hearing in our deliberations.

For that reason, gentlemen, it seems to me peculiarly unfortunate that the Association of American Law Schools, as an official body, has been prevented, by an untoward conjunction of circumstances, from meeting with us this year—although, in fact, several of its prominent members are here present. It is to be hoped that in future some arrangement can be made by which there may be more positive and decided co-operation between the Association of American Law Schools and the Section of Legal Education of the American Bar Association, and also that there may be more positive and direct co-operation and interaction between the law schools and the Bar examiners.

Our session this afternoon is to be devoted to an address on the best practical method of ascertaining the character and fitness of candidates for admission to the Bar, by Hon. David Leventritt, of New York City. I am sorry to say that he himself is not able to be present, but he has sent his paper, and I will ask Mr. Walter George Smith, of Philadelphia, to read it to us.

(The address follows these minutes, page 767.)

The Chairman:

This very interesting paper is now open for general discussion, and I hope we shall hear from gentlemen engaged in practising law and gentlemen who have acted as Bar examiners as well as from teachers and professors of the law.

Andrew A. Bruce, of North Dakota:

It seems to me that the last portion of this paper is the most suggestive. We cannot emphasize too strongly the value of the character examination, and this on account of the influence that it will have upon the student himself. We must, at the outset, make the young lawyer believe that his is an honorable profession and that he, himself, is expected to be honorable. We have accepted too long without protest, if they are false, and without repentance if they are true, cheap witticisms which reflect upon the integrity of the profession, so that many young lawyers are led to believe that trickery is expected of them. To give a dog a bad name is to hang him. To let the young man accept these alleged witticisms and to enter the profession without any other standard before him is to take away from him moral safeguards which he greatly needs. There have been too many jokes about the dis-

honest lawyer. It is not a joking matter and we cannot allow the young man to enter the profession thinking that it is. I know that we cannot by any examination really test moral character. Certificates of good character are often signed as a matter of course and are of little value. We should at the outset remind the candidate of the dignity of the profession. We should remind him that in ancient France and Spain a lawyer was made a nobleman and this largely because he was expected to be noble. The character examination makes the young lawyer stop and think and take his bearings. It may, perhaps, serve much of the same purpose as the practice that was followed in mediæval times when the order of knighthood was conferred. The knight of old was required not only to be one who was well trained in the use of arms, but one who served God and was without fear and without reproach. On the eve of his initiation into knighthood he was therefore required to watch his armor through the long hours of the night as it lay on the altar of the cathedral or of the church. This was to remind him of his duty to God as well as to men. The important thing is not the machinery by which the young man is admitted to practice, but it is to make him conscious of the fact that at the portals of his profession are integrity and honor, and that he, himself, is expected to be honorable.

Hollis R. Bailey, of Massachusetts:

Having heard from the author of this paper something as to the procedure in New York, I would like to state briefly the method now followed in Massachusetts. In Massachusetts we have come to recognize, year by year, the importance of more and more careful inquiry as to the moral character of the applicants who are recommended for admission to the Bar. The matter is left by the court and the rules of court in our statutes to the report of the Bar examiners, and not with a special committee on moral character of applicants. I suppose that practice may be the more usual. Heretofore we may have been satisfied with, first, a certificate—not under oath, but a certificate in writing—signed by members of the Bar stating that in their opinion an applicant was of good moral character. Now if an applicant comes to us from a law school, a certificate from the law school that to the best of its knowledge and belief the applicant is of good moral

character, is brought to us. Then, if the young man has studied in a law office, a certificate from the attorney with whom he has studied is presented stating not only that he has studied for a certain time a certain amount of law, but that in the opinion of the attorney he is of good moral character. I have been interested to observe that in New York they require those statements to be under oath, and I think we might well adopt that in Massachusetts, the first person named being an attorney who volunteers to recommend that the man has a good moral character. In this present summer we have adopted a new rule—that is, not exactly a rule but an unwritten practice. We have felt that the attorneys recommending young men were not perhaps as careful as they should be as to their means of knowing what the moral character of the young men was. The day before I left Massachusetts I made provision for the sending out of 145 letters to as many different attorneys who had recommended men for admission to the Bar, asking them to state in detail their names and sources of information concerning the applicants recommended by them. We think that plan will be useful. I suppose those replies are now coming in to the office and are being scrutinized by another member of our board. That is one step forward.

Now, one thing more. In reading over the rules which we had a year ago I find that we put in a clause providing that the list of successful applicants—not only the names, but their legal residences and also their post-office addresses—should not only be published in a newspaper for three successive days, but that copies of that list should be sent to the clerks of court throughout the state, in fifteen different counties, and should also be sent to the Secretaries of each of our local Bar Associations. We have perhaps a dozen or possibly fifteen local Bar Associations included in our State Bar Association. So that now we send a copy of that list to each of the Bar Associations, and there is a request made to them that they investigate the applicants as far as may be possible; and some of the Secretaries of those local associations are beginning to do very careful work in the way of investigating the moral character of applicants in their respective localities. We are hoping that this work may be extended. Therefore, you see that we fully recognize the importance of this inquiry, and we are trying to learn from the practice in other states.

I may say that we have learned by this inquiry, as we have learned heretofore by publications of the lists in the newspapers, of objections to different applicants that come before us; and hardly an examination goes by that we do not receive objections to the moral character of some of the applicants. When we receive such objections, though it may be anonymously, or it may come from some member of the Bar or from some individual who has a grievance, or from whatever source it comes, we undertake to make an investigation. We have sometimes devoted five or six entire days to the hearing of testimony and arguments as to the moral character of applicants. The charges of misconduct which are brought up are extraordinarily varied. I remember that we had one applicant who was very deaf, and we had another applicant who was practicing law before he was admitted to the Bar, and another applicant against whom the charge was made that he had procured an abortion upon a client. All I will say is that enough was adduced to sustain the charges and we refused the applicants admission to the Bar. Another case was that of a young man who was an anarchist in the country from which he came. After he had been here a few years it seems that he testified in a tort case in New York in favor of a fellow countryman who had been injured, testifying that he was present at the time of the accident and saw her suffering, when, as matter of fact, he was not there at all but was in the State of Pennsylvania, and it developed that he had been promised the sum of \$250 if she got a verdict. It came out in our investigation that these were the facts, and he admitted that he knew now that it was not a proper thing for him to do, and he went before the Grand Jury and testified to the truth. Finally, after he had secured somewhat of an education, he settled in Boston; he went through the law school, and after he had gotten his degree some people in New York learned of it and they made known the facts about him. His case was brought to the attention of the Bar Examiners and the question brought up whether or not he was a suitable man to be admitted to the Bar. He was allowed to take the examination, and he passed very well. Then we made a further investigation and discovered this perjury of his some six or seven years before, which possibly may have been condoned, and we found that he had testified falsely in New York, and we further found

that he had falsified to us in his examination before us and we refused him admission. The week before I came away from home he was before the court to have his case reconsidered, and I suppose when I go back the matter will be up for further consideration.

I might state that in one case we had an applicant who came to us very early in the study of the law and said, "I have served a term in state prison," and he told us what the charge was upon which he had been convicted. Yet the board were unanimously of the opinion that, under the circumstances and in view of the fact that he had lived an upright honest life for a certain length of time after serving his sentence, he was recommended and is now practising law. One of the judges of the court told me that he thought we did wisely in considering that this young man had lived down the offense. It was a breach of trust for which he had been convicted and served his time, and the people who had been injured, as well as other people in the community where he lived, felt that he had reinstated himself and they were ready to trust him again.

I am not yet convinced whether the New York method of having a separate board to pass upon the moral character of candidates for admission to the Bar is the best one to adopt or not. Perhaps it is. The Board of Bar Examiners in Massachusetts gets some information, of course, by seeing the men as they come before them and examining their papers, which is valuable to one passing upon the matter. There is one thing which they do in New York that our court is beginning to think is of importance: namely, that some one, either the Board of Bar Examiners or a special committee, should personally interview if not every applicant, all those who may seem to require it in order to make sure that they can speak fluently the English language. Indeed, in Massachusetts, at the present time, we have some men who have been admitted to practice who are unable to speak English with any degree of fluency. A written examination does not disclose very much as to whether they have a good command of English or not.

It seems desirable that whatever test is applied it should be uniform as to every applicant. The only reason why hitherto we have failed to call the candidates before us for a personal examination is the expense involved. These young men come to us from

different parts of the state and they have to pay their own expenses, of course, and, if they have to come for a second examination, it will largely increase their expenses. However, that is perhaps not so important; and, whether it will be applied to every applicant in the future, or not, I cannot say. If a man is a graduate of a university we assume that he can speak English fluently. Of course, we don't know, and we don't accept so readily, that his moral character is all right. College graduates sometimes seem to do things which are unprofessional just as readily as other men who have not had the benefit of a college course. Oftentimes I suppose it is because of the necessity of keeping the breath of life in them that these men do unprofessional things. I have a letter in my pocket now from a man asking whether we will do anything to have a certain man disbarred. I do not suppose that the committee on admission to the Bar, or this committee on moral character of candidates in New York, meddles with the matter of disbarment; but the idea is of importance and I think we should all act with some uniformity in regard to it.

Walter George Smith, of Pennsylvania:

In endeavoring to maintain the highest standard of the profession we are confronted in the United States by different conditions at the outset. I suppose that those who represent the court as members of examining committees and those who represent voluntary legal associations as members of committees of censors in New York, in Boston, and in Philadelphia, have different forms of procedure. We have in the Eastern cities representatives of the most ancient race of which we have knowledge coming up to be admitted to the practice of the law. They are people gifted with a marvelous intellectual ability and great power of concentration, who exercise extreme self-denial in overcoming their environment of poverty. Frequently it has been my lot to see men of that character who were surprised when informed that they have done anything wrong. As was pointed out by Mr. Carson in his address, and by other speakers before the Section last year, those men who come to the Bar without the incalculable advantage of having been brought up in the American family life, can hardly be taught the ethics of the profession as adequately as we would desire. It is a frequent subject of remark and is a truism among

us who practice in the larger cities—especially among men whose practice extends more than twenty years back—that there has come a change in the tone of the profession, a lowering of the standards and a commercializing. How this situation is to be corrected in New York the paper to which we have listened suggests to a certain extent. It does seem very drastic to put a man literally on trial to prove that he is an honest man before he is admitted to the Bar. I do not think that course would be accepted in many of the Western communities, but I believe that it is the best thought of disinterested men in the East on the subject. To a man who has anything approaching noble ideals of the profession this is astounding. I often think when these matters come up for discussion how, before Mr. Lincoln had obtained anything like the great political prominence that came to him a few years later, in delivering an address upon the subject of the attitude of the public mind towards the lawyer, he made reference to the same fact to which our friend from North Dakota has referred, that the lawyer's honesty was the subject of popular jest. He pointed out the obvious fact that almost every man had at some time or other in his career, something to do with a lawyer, and that it is not possible that the great proportion of lawyers are not men of integrity or affairs could not be carried on as successfully as they are. All the rules that we may pass will never do away with the necessity of considering eventually what is known as the personal equation.

Observing the proceedings of this body during the last few years, I think it is grappling now with the most important problem to which it can give its attention. It seems to me that the intellectual standard has been placed as high as possible in most communities. Men must be taught to appreciate the fact when coming to the Bar that they are becoming members of a profession which exacts from them the strictest standards of honor.

Henry H. Wilson, of Nebraska:

There is one thought which, in my opinion, this paper has not brought out. That is whether the test of moral character should be made at the beginning of the law course or at the end of it. A number of the states are now giving legal education gratuitously to all who come asking for it. Our neighboring state of Missouri

does that. In other states, where the schools of law are not under state supervision, very few of them are self supporting. Where the state is giving its support to legal education, in whole or in part, it may well be inquired whether this gratuity should be granted until it is ascertained whether the character of a candidate for admission to the Bar is such that ultimately he ought to be admitted to practice law. This raises the question whether the examination or test as to his moral character ought not to come at the beginning rather than at the end of his course of legal study.

In my state we have tried to carry along the same standard in the state examination, after study in a law office, that the university has adopted with respect of its candidates for admission to the Bar after a course of study. We therefore require that not only shall a young man read law for three years in some reputable law office, but that he shall, when he commences his reading, register as a candidate for the Bar.

Now, it occurs to me that outside of the ordinary Bar examination as to acquirements in a law office there might well be a separate board to examine into the qualifications of the young man morally.

I think that a general law should require every candidate for the Bar to register when he begins his technical reading of law, and that such registration shall not be complete until he produces to the court having jurisdiction over the subject-matter a certificate after a thorough examination as to his moral character. I do not mean that the law schools do not incidentally teach morality or that a law office does not teach morality. On the contrary, one of the most broadening, inspiring and ennobling experiences that a young man can ever have is to read some of the masterpieces of the law. You will find no higher morals, no keener sense of justice, no finer expressions of honor, than in those masterpieces; and I can imagine a young fellow who might be of rather loose notions as to morality at the commencement of his course who, at the end, would have a much finer grasp upon moral principles. But primarily the law school is not established for that purpose. Therefore, it seems to me that no student should be allowed to matriculate in a law school unless there has been a preliminary inquiry into his moral character. It is something

of a hardship that a young man shall remain three years in a technical course spending his time and money trying to prepare himself for a livelihood in a profession. If at the end of that time, he is told that he has not qualified because of defects that existed when he entered, it is not fair to the candidate. If the state is going to make moral character a criterion, then I think the examination ought to be at the beginning of the law school course and not at the end of it.

C. P. Arnold, of Wyoming:

Mr. Chairman. For several years I have tried to discharge my duty to the community and to the profession by serving on the Board of Law Examiners in Wyoming. I have been interested in what our friend Mr. Wilson says here. To my mind he introduces a very interesting and profound analysis of the matter. But just where is the test of moral character to be applied? At what point from the cradle to the grave? I am glad that he called attention to the fact that the study of law itself is a humanizing and moralizing agency in life. I question with all due respect the proposition that by any process known to the law of psychology or any environment of human character we can tell what a young man is or what he is going to be when he enters upon the study of law. So much for that.

What I wanted to say was this: That the practical question of the investigation of the moral character of the applicants for admission to the Bar naturally resolves itself into two classes: First, the volunteers who join the army, and secondly, the seasoned veterans who have lived through many campaigns. As a member of our Board of Law Examiners I can say that we have always found it easy to tell something about the old practitioner. He inevitable leaves a trail behind him in the state from which he came, and we can always trace him up. But the young man, the boy from Harvard or Columbia or Michigan or Chicago, who has graduated from those institutions and comes to us equipped with a theoretical knowledge of the law—how are we going to tell anything about his moral character? I appreciate the fact, which has already been alluded to by the gentleman from Pennsylvania, that there they have conditions which do not confront us. In Wyoming we are a new community and we do not

have the problems of the submerged type that are met with in the Eastern states. In Wyoming everybody lives in the open, I had almost said on the surface, and we find it is comparatively easy for us to tell all about the family and the character of any young man coming up for admission to the Bar. It is the old practitioner that gives us trouble, the man that comes from somewhere else, or from nowhere. I need not call your attention to the statement that everybody over forty is supposed to be a rascal, but what are we going to do with the young men. The young man is not supposed to be a rascal. He is supposed to be all right if he has graduated from one of our leading institutions. But we have got to come back to the other question, that what that young man is going to do depends almost entirely upon the Bar in the place where he enters upon his life's work, and the responsibility of his moral character is a responsibility which rests upon the profession at large, and he is going to be neither better nor worse than the lawyers with whom he associates. I believe the standard of the profession is high. I do not sympathize with the people who are sometimes offended at the jokes cast on a lawyer. I really think that those jokes are sometimes compliments. I remember a great historian said that it was not until the Romans had cast off their science that Rome began to decay; and the fact that these jokes do fly from mouth to mouth, as to the moral character of lawyers, is only an unconscious tribute which hypocrisy always pays to virtue.

William Draper Lewis, of Pennsylvania:

I sympathize very heartily with the feeling that when a man wants to study law, and after he has gotten through the study of law that he wants to be admitted to the Bar, that there ought to be some way by which he can be investigated as an individual to ascertain whether he has those moral qualities which he should possess if he is going to be admitted to our profession. My own experience would lead me to believe that a great deal can be done in our law schools by teaching ethics directly, especially where the ethics of the profession as an addition to the general ethics of morality are included. I am very firmly of the opinion that the best ethical course any man can take, the best thing to put stamina into his moral fibre, is to give him a systematic, good,

hard course of study which he must constantly follow. I do not think any one here who has ever been the head of a law school will not confirm the statement when I say that our greatest pleasure is the improvement in moral character that a man shows when he goes through the law schools, provided he attends honestly to his work. The trouble that the law schools in the large cities experience is the fact that some of their students—not many of them to be sure, but still some of them—are registered in law offices. A large law office in a big city may exert a good influence; on the other hand, it may be the worst possible place wherein a good influence can be exerted upon a young man. If a young man is in an office where certain things are practiced that ought not to be then it has no good influence upon him. The man that needs to be improved in his morals—because, perhaps, as Mr. Smith has said, of his home surroundings before he begins to study law—is just the man who goes into the law office. Now I have only this to suggest in this debate. I have had a feeling for a long time that the morals of our profession as far as they can be affected by the system which you follow to educate a lawyer, and to weed out, or prevent admission of, those who are unfit, will never be satisfactory in the conditions which prevail over most of the United States, and especially in the larger communities, unless we do what is done by the medical profession—methods which, in a comparatively short time, have lifted that profession from below us to a point where they now have the greatest respect. They make every man go through a medical college if he want to practice medicine. I believe the time has come when we must have the same rule in regard to law students. How are you going to have the world at large look at the profession as a learned profession unless you insist that every man who enters it shall be learned. If a good hard course is a good thing for a man to go through with, and if the fact that he understands the law, while he may often go wrong, is a great factor in making him go right, then the thing that we want to do is to see to it that every man goes through a law school, and see to it that that law school is the right kind of a law school. So long as the present system prevails of a young man being partly in a law office and partly in law school, the profession can never aid the law school as it ought to and make it live up to the standards

which it ought to live up to. When a man has to go through the law school then the profession can make the law school better because that will be the only means of admission to the Bar.

And there is another thing. As long as we have these two systems side by side you will always have the practical difficulty in education that a young man can come to the Bar without going through a law school and without having any personal touch with the members of the community in which he expects to practice. I do not think that is right. I do believe that before a man begins to practice in a community he should have been in that community and been registered in a law office, but I believe that the registry in the law office should follow a course in the law school. At present the situation is this: A board of examiners will pass a rule that a man must be for a certain number of months during his three years at the law school registered in a law office. What is the practical result? You militate against the law school and you say that if the man wants to take a law school education he must have three years in the law school and then from six months to a year and a half in the law office. If you required every man to go through a law school and insured that that law school was all right so far as it was, humanely speaking, possible, you could then do what I believe is needed both from an educational and from a practical point of view: Prescribe that before a man actually goes to the practice of the law he should have had a good law school education and a sufficient registration in a law office, or have done some work in connection with a law office, as on the continent of Europe, in the appointments by the court of apprentices, so that before he went out on the community to secure clients the people in the community would know something about him, and, too, your Bar examiners would be able to test by some personal experience what kind of a young man he was.

Nathan William MacChesney, of Illinois:

It might be interesting to state what Illinois has done in respect of this matter of character certificates. The rules have been more or less changed. Instead of the mere certificate which was formerly required with reference to study in a law office it is now provided that an affidavit with certain specific statements in it shall be made in order that it may be more clearly established that

the student has really done the study contemplated. The Illinois Bar Association recommended that the registration should occur at the beginning of the study, but our Supreme Court failed to adopt that particular recommendation. So far as the character certificates are concerned—and the applicants must have such certificates—those are now placed on file for ten days, and during that period the candidates are investigated. The Committee of the Chicago Bar Association has an attorney employed by the year who spends practically his whole time in investigations of complaints against practicing lawyers. In addition to that, as the applications are referred to him, he makes an investigation in regard to the applicant and he determines whether or not he is the type of man who ought to be permitted to enter the profession. If it does not seem that he is, why, the case is brought immediately before the Grievance Committee and they oppose the issuance of a certificate to the man. Some two or three years ago when I had something to do with the committee work and the issuance of certificates, it was provided that where it was found that there was something against a young man, where apparently it was not desirable that he should enter the profession, a very careful investigation was made. Practically you do not find out whether a man has the proper standards or not until he has been about ten years at the Bar. A great many men gradually deteriorate after they go to the Bar. So we had passed by the Chicago Bar Association and by the Illinois State Bar Association a rule embodying a series of penalties which the Grievance Committee could impose upon such a man. And there was a determined effort made by some of the influential members of our Bar for a rule providing that if a man is admitted to the Bar he shall, during the first five years, practice on probation, and at the end of that time, it shall be determined whether or not his standing in the profession shall be confirmed.

Charles S. Lobingier, of Shanghai, China:

There is one point, Mr. Chairman, which I think has not been touched upon, although it was suggested to a certain extent by the gentleman from Wyoming. That is the inadequacy of state action on a subject of this kind. I know of a state where a young man applied for admission to the Bar and was refused; it was

Nebraska, and he went into the neighboring state of Kansas where he was not known and was admitted to the Bar. Then, some time later, he came back into Nebraska, and by a rule of comity, which existed then, he was allowed to practice. Now, I do not see why that could not be done in any of these cases. Even in so excellent a system as they seem to have evolved in New York, a candidate who applies for admission there, and who fails to satisfy the court that he possesses the requisite qualifications, can go to some Western state and be admitted. That becomes a very practical question to those of us who are located in the Far East, and there is no inconsiderable number of the American Bar Association represented there.

I am glad to say that it is not the case now, though it has been in the past, that some who have failed in the profession for various reasons and been obliged to leave their former location should have drifted out there, and, their record not being known, have been admitted to the Bar. I think we have pretty well eliminated them. But the source of the trouble is not eliminated. If there is going to be a practical solution of this problem it seems to me that it must be by the action of the states together, on the invitation of this Section, or the co-operation of this Section with the Conference of Commissioners on Uniform Laws. This is the first time I have had the privilege of attending this Section, and it is not for me to suggest what should be done in order to effect the remedy, but it hardly seems possible that we can work the needed reform unless it is done through some uniform act of procedure. It might not be practicable to prescribe all the qualifications for admission, but I think we could prescribe that an applicant who had been rejected in one state should not be admitted thereafter in another state. Another thing in the same line, I think, would be publicity and co-operation between Bar examiners of different states, to the extent of keeping lists of applicants and candidates for admission. I have not the greatest confidence in the feature of publicity which publishes the names of all candidates coming up for examination, because to a certain extent that invites people who have any spite against any particular applicant to come to the front; but I would suggest that a list of the applicants should be furnished from every state to every other Bar board, for their information.

Mr. Bailey:

I offer the following resolution:

Resolved, That it is desirable that a personal examination of each applicant for admission to the Bar should be had as to his moral character, such examination to be in addition to the examination as to his educational qualifications, and also in addition to the requirement of certificates as to his moral character.

John B. Sanborn, of Wisconsin:

I desire to second Mr. Bailey's resolution.

Victor H. Kulp, of Oklahoma:

I was much interested in the paper of the gentleman from New York. I think the plan that they have adopted there is a very good one. We have very much the same system in Oklahoma, except that instead of having a committee to investigate the character of applicants for admission to the Bar that duty devolves upon the secretary of our commission. We have the same requirement that they have in New York requiring the applicants to fill out a blank form and swear to it. I suppose more than half of the applicants that come before us are old practitioners who have come into our state from other states for the purpose of practicing their profession. In addition to those who are entitled to admission on motion we have about 75 on the average in each class. We have two examinations per year. Our last examination was held in June, when 71 applicants took the examination. Forty-six of them passed, and twenty-five failed. We differ from the New York plan in that we find out before the examination as to the man's character, and if we decide that he is not a proper person to be admitted we do not permit him to take the examination. We frequently have applicants who take the examination and where the clerk finds there is something in the applicant's record that is suspicious, the clerk reports this to the commission, and the commission then takes final action as to whether or not that applicant shall be admitted. I think the duty that the commission has to pass on the moral qualifications and fitness of applicants is far more important than the duty to pass on their legal acquirements, although probably many of you gentlemen may differ from me in that regard.

I cannot agree with my friend Dean Lewis in regard to the statement that every one should be required to go through a law school before he is admitted to practice law. Common consent would disagree from that view because of the fact that I never saw the inside of a law school myself, and I know that many other lawyers who have never had the opportunity of attending a law school. In the little town where I live we have sixty members of the Bar and, as is the case in all towns, you will find that comparatively few have the cream of the legal business. Out of those sixty members of the Bar perhaps half a dozen firms do all the best business. And while we have quite a number of graduates from Harvard and Yale in our town, I will say that you may take the half dozen leading lawyers of the town, the really successful lawyers of the town, and I don't think a single one of them ever attended a law school, but they obtained their legal education in a law office. While I do not say that the law school is not the best place to go to secure a legal education, I do not say that it is absolutely necessary. I would have gone to a law school myself if I had had the opportunity; I very much desired to do so but, unfortunately, I was not situated so that I could, and I therefore studied law in a law office. As to the legal qualifications, while that is of the greatest importance it is not so important by half, I think, as a man's moral qualifications. One dishonest lawyer in a community can bring the whole profession into disrepute.

I believe it would be a good idea to have a committee appointed, such as the Commission on Uniform State Laws, and instructed to prepare a bill making the rules in the various states for admission to the Bar uniform.

H. A. Bronson, of North Dakota:

There is one feature that has not been emphasized this afternoon. I think that emphasis ought to be placed on the remedial side of moral character as a requisite for admission to the Bar. The discussion this afternoon has taken a range along the inquisitorial side. The function of Bar examiners is, of course, to bring to the Bar young men qualified legally and morally. When I say morally, the term means a whole lot more to us as lawyers than the mere standing of the young man as being a good enough young fellow. It means also the ethical conception of what a lawyer should be. In that regard the Bar examiner whether

acting as a committee as such or by a separate committee can be well assisted by the law schools of the country—by particular attention on the part of the law schools in giving to the young men instruction in legal ethics. In our state we happen to have young men from all over the country. During our last examination we had some young men from Yale, Harvard, Columbia and Chicago, and so on down the line, and at that session we paid particular attention, just for the purpose of an experiment, to propounding upon our oral examination questions prepared by the Committee on Legal Ethics in New York. We were surprised at some of the answers that we obtained in that examination. We were further surprised to find that some of the young men who did certainly pass a fine examination—some of these very young men from these Eastern colleges—hadn't a conception of what legal ethics meant. Now it occurs to me that from the remedial side it is possible for the law schools to serve a big purpose by emphasizing legal ethics in connection with personal investigation, and also by acting in the additional capacity of *amicus curiae*, in giving advice concerning the young men who may be under their instruction.

Edward T. Lee, of Illinois:

A distinguished member of the Illinois Bar has told you the rule in regard to good moral character in Illinois. Now, as a matter of fact, every student is able to comply with that rule. In fact, the rule has not been effective in barring from the examination a number of applicants. Last year, at the meeting of this Section in Washington, I suggested oral examinations. Mr. Danaher, of the New York Board of Law Examiners, said that would be a physical impossibility in New York State owing to the great number of applicants. Still, gentlemen, without a personal oral examination, I do not believe you can ever effect any good result in determining the moral qualifications of candidates for the Bar. The test is applied in every large establishment which hires men in a capacity where their honesty and trustworthiness is involved. The Bar examiners in Illinois say that they have no time for that work and they never see the applicants at all: they see only their papers. I happened last year to be a member of a political committee that investigated candidates for judicial office in Chicago. The candidates were invited to appear before

the committee. They submitted written accounts of themselves, and stated their qualifications. Then they came into the room and met the members of the committee, and some of them we knew, and those we were able to dispose of very quickly. Others of the men had been at the Bar for some years, but none of the committee knew them. In the case of one, a rather distinguished looking man, the President of the Illinois Bar Association turned to me and said: "That fellow would steal a sheep," and our subsequent inquiries rather convinced us that he would if he had the opportunity. The personal interview and inquisition seems to me to be absolutely essential if you are seeking to get at a man's reputation or character preliminarily to his admission to the Bar. Of course, even after he is admitted he may go wrong. I believe in what one might call a novitiate in the law. I think a person should not be admitted to practice in all of the courts of the state at once, but first in the *nisi prius* courts, and then after he has submitted to another examination and been found competent and qualified, let him then be admitted to practice in the higher courts of the state. That would tend to keep a man mindful of the reputation that he is making during this period—not perhaps a period of probation, because if he did not want to apply for practice in the higher courts he need not do so. I believe about 20 per cent of those who are admitted to the Bar do not intend to practice for the purpose of earning their living at it, but they go to the Bar as an auxiliary or adjunct to something else, to some other occupation. I think such men should be weeded out if possible. The man whose only ambition is simply to make a living should be excluded. The man who goes to the Bar simply to use it as an adjunct to real estate or to insurance or to run a collection agency should also be deterred, if possible, from taking the examination. In that way we would have coming to the Bar only men who regard it as a high and honorable profession and who were imbued with the ideals suggested by the gentleman who spoke so eloquently of the larger conception of the law.

Charles L. Griffin, of New York:

I concur in the last suggestion of the gentleman who has just taken his seat, and I would call the attention of this assembly to the fact that in our neighboring state of New Jersey they still

maintain the distinction between attorneys and counselors. When a man is admitted to the Bar in New Jersey he is sworn in as an attorney, and he cannot attain the rank of counselor-at-law until he has practiced three years as an attorney and satisfied his brethren of the Bar that he is worthy to have the rank of counselor conferred upon him.

I concur also in the suggestion of the chair as to the questions that might well be put to a man intending to pass an examination for admission to the Bar. I think it is a reproach upon the Bar of the country that it has not devised some method which can be used as a searching test of every man who comes up for admission to bring him face to face with the proposition as to how he has conducted himself and how he intends to conduct himself when he shall be admitted to the Bar.

I went to the law school a great many years ago. I did not take the full course, I had only two years. During my time there I do not remember that the term legal ethics was ever printed so that it came to my notice or that it was ever used in my hearing. Yet while I was attending that law school I had those questions put to me that you suggested, and I think that the Bar might well define some method by which those who intend to apply for admission to its ranks should have called to their attention, in a searching way, the necessity that they will be under of maintaining the honor of the profession when they shall have been admitted to it. I agree with the views that you expressed as to the reputation that the Bar holds—not the members of the Bar so much as the Bar at large—among the people. I have reluctantly come to the conclusion in recent years that the reflections cast upon members of the Bar in some sections of the country are not made altogether in jest, but that the people do generally have a distrust which they ought not to have of lawyers. When such reflections are made and I hear a man abusing lawyers, I know that one of two things has happened: Either he has applied to some lawyer for assistance to carry out some scheme which he knew he ought not to carry out, or he has been caught and exposed by some lawyer in a scheme which he shouldn't have been engaged in. It is all summed up in the old couplet:

"No thief ere felt the halter draw
With good opinion of the law."

Mr. Griffin:

I suggest that the question be put on the resolution offered by Mr. Bailey some time ago.

The resolution was then adopted and the Section adjourned until Tuesday, August 17, 1915.

SECOND SESSION.

Tuesday, August 17, 1915, 3.30 P. M.

The annual address was delivered by Charles E. Shepard, Chairman of the Section.

(The address follows these minutes, page 759.)

The Chairman:

I will appoint as members of the Nominating Committee to select and recommend to the Section officers for next year:

Hollis R. Bailey, of Massachusetts.

Walter George Smith, of Pennsylvania.

John C. Townes, of Texas.

We will now listen to the papers on the importance of a Broad Pre-Legal Education as a Preparation for the Practice of Law. The first paper to be presented is by Lawrence Maxwell, of Cincinnati, Ohio. In the absence of Mr. Maxwell I will ask Dean Lewis, of Philadelphia, Pennsylvania, to read the paper.

The paper was read as follows:

THE IMPORTANCE IN THE PRACTICE OF THE LAW OF A BROAD
GENERAL EDUCATION.

Some years ago I had occasion, as Chairman of the Section of Legal Education, to address it on the subject of Preparation for the Bar. We were engaged at that time in an organized effort to raise the requirements for admission to the law schools with a view to increasing their efficiency and securing what we called a better class of students. Much has been accomplished in that direction and more is in sight. The true relation between general education and preparation for the Bar has not always been perceived, and we may have overestimated, at times, the value of a college education as a special requirement for the study of law. But we are on sure ground in urging the supreme importance

of a broad general education as an essential part of the lawyer's equipment. His field is wider than that of any other professional man, and is becoming wider every day. He is being called upon, as never before, to discuss novel questions of tremendous consequence on litigation involving great social, industrial, economic, and scientific problems; and it has become a glittering generality to say that a lawyer must have a general education because he is a member of a learned profession. He must have it in order to get and handle big cases growing out of legislation, state and federal, which undertakes to regulate every phase of industrial and commercial activity. Only broad-gauged men, whose hearts and minds have been developed by the serious reflections of a liberal education are qualified to assist as advocates or judges in developing the great body of law which is becoming a part of our national life.

Important as a well-rounded education is to the professional success of the individual lawyer in these new fields, its importance to the state and the administration of justice is even greater and rests upon broader grounds; to-wit, its influence upon the character and tone of the profession. A man who has had a liberal education is likely to look upon his profession and the world in a broad and liberal way; to see facts as they are without distortion or prejudice, and to reason from them in accordance with the dictates of sound judgment. The fruit of liberal education is not learning alone, but the capacity and desire to learn. Carlyle, who was no blind follower of the schoolmen, illustrated the value of early culture whereby, he said, instead of a "doddered dwarf bush, we get a high, towering, wide-spreading tree." That is the kind of lawyers the public demands and the state needs.

I have always been deeply interested in the Section of Legal Education and regret that I am not able to attend this meeting. What I have written is in response to an invitation to prepare "a short, emphatic paper" to serve as an introduction to a symposium on the importance to the lawyer of a well-rounded education.

The Chairman:

The other paper is by John H. Wigmore, of Chicago, Ill. Mr. Wigmore is not here, and Secretary Hepburn has consented to read the paper.

The paper was read as follows :

SHOULD THE STANDARD OF ADMISSION TO THE BAR BE BASED ON
TWO YEARS OR MORE OF COLLEGE-GRADE EDUCATION?
IT SHOULD.

1. The reason is not merely that modern law school education calls for mature and well-trained students. More emphatic and obvious than this, the professional work at the Bar and on the Bench requires well-educated men.

(a) The problems of litigation and of legislation demand the best trained minds. The coming generation will see more difficult problems of re-construction and re-statement than have arisen in America for a century past. The best trained American minds must handle them. And no one doubts that, on the whole and in the average, a university training best develops all the latent powers that are to be used in the world's work.

(b) Otherwise, the legal profession will be left far behind by the men of other callings. It is behind today. Thousands and thousands of young men are today taking a college education to fit them for business life, for farming, for journalism, for engineering, for applied industrial sciences. The law as a profession has lost its prestige of leadership in public thought. It will never regain it so long as it declines to insist that its followers shall have the best attainable education.

2. *Objections.* (1) That the poor boy cannot afford to go to college. *Answer:* The fact is just otherwise. Every state in the union provides free a complete college education, the same as it does a high school course. There is absolutely no obstacle to a poor young man's getting a college education. Thousands are doing it all over the country. The poor young man who will not make the effort to do it is either too indifferent to its importance, or too lacking in stamina. That class of young men the legal profession can well afford to lose. (2) That the law schools should be left to make the requirement, if they choose. *Answer:* The law schools include only a small portion of the annual grist of new lawyers, and their influence alone is inadequate. Moreover, only a small proportion of the law schools can or will make the requirement voluntarily. Unless the state embodies it as a rule for admission, the bulk of the schools will continue to meet the demand for "the easiest way."

3. The Bar is over-crowded with incompetent, shiftless, ill-fitted lawyers, who degrade the methods of the law and cheapen the quality of services by unlimited competition. The number of lawyers should be reduced by one-half. As a method of elimination for the future, a stricter requirement for preparation is a sensible method. And a requirement of two years of college is a rational and beneficent measure for reducing hereafter the spawning mass of promiscuous semi-intelligence which now enters the Bar. The legal profession all over the world is a selected, limited group; and such is the Anglo-American tradition of the past. We must restore this tradition, if the profession of the law is to regain its leadership in American thought.

The Chairman :

These papers were intended to introduce a general discussion of their subject matter, and that discussion will now be opened by Hon. Andrew A. Bruce, of the Supreme Court of North Dakota.

Andrew A. Bruce, of North Dakota :

I venture to say that in no country in the world does the lawyer and the judge—for the judge of today is but the lawyer of yesterday and the lawyer of tomorrow—occupy a more important position than in America. Ours is a great cosmopolitan nation which not merely stretches from ocean to ocean but embraces within its boundaries people of every nationality and every creed, with no common history and no common traditions, often without any common language, divided by social and geographical differences, but bound together by a common hope, a common humanity and a common democratic law. In no country in the world can the lawyer have a greater opportunity or a greater influence—in no country in the world are high qualifications for the profession more necessary. De Tocqueville said that the lawyer belongs to the natural and only aristocracy that can exist in a republic, and this because, to use the language of ex-President Roosevelt, he alone “knows the rules of the game.” He stands upon the mountain peak and he has the leadership in his hands if he will only assert it and will only be worthy of it.

We are, however, in danger of losing that leadership, and not because the order of things does not give it to us but because

we are ourselves throwing away our birthright. We need to take count of stock, to find out where we are and to consider the reasons which are leading the public to lose their respect for us, as they undoubtedly are. Above all we need to reassert our position as the members of a profession. We have a crowded Bar and there are men in the ranks who will do almost anything for bread and butter. We have in our ranks the ambulance chaser and men who are incompetent for the practice of the profession. We have great firms whose leading men bid for trade and whose work is done by clerks and underlings. We have lawyers of great talent and attainment, but who are merely hired men. Technically they are officers of the court but, practically speaking, they are employed on a salary by great corporations and often feel that they must do practically what the corporations dictate. A man cannot serve two masters and this is as true today as in Biblical times. In ancient France and Spain the lawyer was a nobleman and this because he was expected to be noble, and because the public nature of his calling demanded it. If this was deemed necessary in Europe, how infinitely more is it necessary in America.

We can only raise the standards of our profession by giving to its members a broad sense of social responsibility and by making them realize and enthuse over the great responsibility and opportunity which is theirs. We must make them really democratic and really loyal to the democratic trust. I do not know of any better training than that which is afforded in our colleges and universities. I am not in favor of putting barriers in the way of those who desire to study the law. In a country where everyone is presumed to know the law an opportunity to acquire that knowledge should be almost universal, but when we come to the right to practice it the matter is entirely different. The standards of admission to the Bar cannot be too high and we need something more than legal knowledge. We need to inculcate honor and we need to teach responsibility. We need lawyers and judges, in this great evolving age when we are questioning even the foundations of government, who have read something more than the law books: we need men who are trained in history and economics and sociology and who know something not merely of the sciences and of the present-day statutes, but of the great history of the race and of the

struggles through which it has passed. The reform of the law is in the lawyer. We can talk all we want to about reformed procedure but statutory reform can accomplish nothing. A shyster can delay litigation and violate human rights under any written code. Any well-trained lawyer who will really take the pains can draw a criminal indictment even under the common law, but, as Judge Black once said: "If the public chooses to admit to the Bar and to elect as district attorneys, incompetent men, whose only qualifications are that they can shout long and loudly at the hustings, they should not complain if now and then a criminal indictment is quashed and the offender allowed to escape." Nine out of ten of the appeals in criminal cases would never have been necessary if the trial lawyer had been fair and sincere and honorable. We find district attorneys whose only idea is to make a reputation; to get a verdict from the jury is all that they want, and they often want that regardless of the guilt or innocence of the accused. They will crowd in evidence which they know is incompetent. They will ask questions that they know they have not the right to ask. They will propose instructions which they know are faulty. They will trick and not aid the trial judge. The popular audience is in the trial courtroom and not in the Supreme Court and it is to the former proceedings that the press gives most space. If on appeal the judgments are reversed they swear at the Supreme Court and talk about technicality. A lawyer once told me, and he was allegedly an eminent one, that for over ten years he had done nothing but connive at error and then complain of it on appeal. Is it not true as man to man that if we would regain the popular respect which we have now lost we must do all that we can to be worthy of it? Is it possible that these things could be if the idea was deeply rooted among us that the law was not a trade but a profession and that we are in fact as well as in name officers of the court? Do we not need ideals? Now how are we going to get them? The answer is largely but not entirely in the colleges. I say in the colleges because there not merely do men acquire a knowledge of facts but they acquire ideals and a vision.

I have heard it said that there are three kinds of professors: one that teach dancing, one that teach swimming and one that go up in balloons. Many of them do go up in balloons. But

after all, it is the idealistic and the theorist of today who is the practical man of tomorrow, and it is the idealist who through the long centuries has moved the world.

Men learn in the American colleges the real concepts of democracy. Young in life, when the mind is fresh and free and the heart is generous, they learn the ground principles of cosmopolitan citizenship. So, too, they delve into the history of the past and gain some conception of the purpose for which law and government were instituted among men.

Have you ever thought of the wonders of the Goss printing machine which prints and cuts and folds thousands of papers in a single hour? It is a wonderful piece of mechanism but it is something more than a machine. In it is contained, and from it can be learned the story of civilization. The whole history of writing and of printing is in its keys. Back of it is the time when men scratched characters upon the bark of trees and traced upon the tusks of animals. Back of it is the scroll and the papyrus. Back of it is the wooden press and the machine that was worked by hand. Back of it also is the heroism and the self-sacrifice of thousands of inventors who, one after another, added their little to the now perfected machine. Many of them died in poverty, and themselves gained nothing save the privilege of being able to open the way to others and to hand forward the torch of progress. In it are broken lives and back of it is the struggle of the race. So it is with our American democracy, our American government and our American law. We have in our institutions and laws, not the work of a single day but the struggles and ideals and the traditions of millions of men. Back of them is the suffering and the heroism of the centuries. A man cannot be a real lawyer—he cannot really understand our law—he cannot lead in the great social advance unless he knows and understands these things. I know of no better place to learn than in the cosmopolitan American college.

Roderick E. Rombauer, of Missouri:

I have spent a great many years both on the *nisi prius* Bench and on the appellate Bench in the State of Missouri, and I have been for many years a professor in the Washington University Law School. I consider that I have also been a professor of law

while I was occupying a position on the Bench, because, as you all know a judge in order to perform his duties must sometimes be an instructor in the law to those who appear before him.

A great deal has been said here about legal education. The great defect in legal education in our colleges, as I have time and time again observed, is that the lawyer is not properly educated or instructed as to the ethical duties of his profession. I believe that every American college of law ought to have a chair on professional ethics, and, if they cannot afford it, then every lecturer and professor ought to constitute himself a professor of professional ethics. Professional ethics are very little understood, and I am sorry to say very little followed by many members of the Bar. Judge Sharswood, of Pennsylvania, a great many years ago wrote an essay on the subject of professional ethics which I read with much pleasure, but it treats merely on the professional ethics which a lawyer owes to his client and of the professional ethics which a lawyer owes to the court, and to a great extent it ignores the most important part of professional ethics and that is the professional ethics which the lawyer owes to the community at large. The lawyer in a state where the law is the sovereign occupies a very peculiar position, somewhat like the ancient priests and like the mediæval knights; in a country where law is the only sovereign he stands next to the sovereign and he has corresponding duties and obligations to render to the community.

I regret to say that it has been my experience in public life that the lawyer exercises comparatively exceedingly small power and influence in guiding the sense of the community and in framing the legislation of the state. Take our Bar Associations as an example. It was my good fortune to be one of the founders of the St. Louis Bar Association, and I have been connected with a great many movements which had for their object the public benefit and the better administration of municipal affairs, and I verily believe that the administration of the law in the United States is worse than it is in any other civilized country with which I am familiar. I have made it an object in life to become familiar with the administration of the law in all countries; I have traveled in England and on the continent of Europe repeatedly, and I have always made it a point to visit the law courts, to observe how they conduct judicial investigations; and I am convinced that in our country the conduct of judicial proceedings is in-

initely worse than it is anywhere else. I maintain that it is the first duty of our American Bar Association to popularize itself. Make the people understand what it is and what it stands for. It should not be a mere mutual admiration society which convenes for the purpose of talking to each other all the time. Let it talk to the great mass of the people; let it make the people understand that its members are working for them and not pre-eminently for its own Association. Of course, we as members of these associations receive any amount of exceedingly detailed and elaborate reports upon various subjects, but what does the mass of the people know about them or about the work of the Association? Absolutely nothing. I maintain that each one of us ought to constitute himself a committee of publication and let the press, the great American newspapers and the magazines, understand that the proper administration of law is of the very utmost importance to the entire people of this land. Why, gentlemen, if our newspapers had devoted one-tenth of the space in their columns to discussions of questions which come up in the various Bar Associations that they have given to the Thaw case, and to the Becker case, the community would know something at least about the great work done by the American Bar Association.

Let me say in conclusion that unless the Bar Associations can make the people understand what they are about and can convince them that they are working for the general good of the community, and that every lawyer is a citizen first and a lawyer next, they will never succeed in doing the most good that it is possible for them to attain.

Simeon E. Baldwin, of Connecticut:

I have sometimes thought that, instead of asking how much we could impart to the young men under our charge in the law schools in three years we should inquire whether they could not be differently arranged; whether the three years course would not really be nearer four years if we shorten the vacation. Is there any reason why the ordinary vacation in an American law school taking the year through should be something like three months? We have inherited in America our idea of long vacations from England, I suppose. At Oxford and at Cambridge their term time occupies, I believe, about five months in the year and their vacation time seven months. In Scotland my impression is that

only four months is the maximum academic term, leaving eight months for vacation. But in those countries the vacations are not wasted; that is, they are not used up in pleasure, but they are largely used in work, in serious study, often of a very different kind from that of the university course. The New England college, which was the prototype of the Western college in the early days, had a vacation of three or possibly four months in order that the students might earn their living in college while they were out of college during these long vacations. The Dartmouth boy had a vacation in the olden times—I don't know how it is now—running from mid-fall to mid-spring, during which time he taught school and was the schoolmaster of the little town from which he came, and then he would return to college with the money which he had saved in teaching. The University of Chicago has done a great deal towards rationalizing in this country the use of vacations for college work, and our various summer schools are doing a great deal in that way.

I believe for one that if our law schools generally lengthened their term time and shortened their vacations, so that the vacation should not be much longer out of the law school than that which a man will enjoy after he becomes a lawyer if he is fairly prosperous, it would be a good thing. I do not believe the American public will stand for more than a three years course of legal study at any law school unless the further instruction be of a post graduate character; but I do believe that public sentiment will support shortening the vacation and using the time thus acquired for instruction, just as the Chairman so well put before us in his address. And the very thing that Judge Bruce had in view in the remarks he addressed to us would be accomplished in that way. I believe that two months more of college course work in each year in some of these directions would be a more practical measure than anything else that occurs to me to improve the system of American legal education.

John W. Kemp, of California:

I have been looking up some records recently in regard to the incompetency of lawyers in my own city of Los Angeles. One of the questions concerned contested damage suits brought against railroad companies, and in that investigation I found that 97 per cent of those contested suits were won by the railroad

companies. These were suits brought for personal injuries. Now, the only explanation is that the lawyers who brought those suits were incompetent. Of course, some of the suits would have been won by the railroad company on their merits. I find that a great many members of the Bar have a tendency to increase the business of the courts. We have eighteen judges sitting in the trial of cases in our city, working all the time, and I will guarantee that if cases that never ought to be tried were not instituted ten judges could do all the work.

Charles Shirley Potts, of Texas:

I have been teaching government and political science for some years and devoting some time to criminal sociology of one sort and another, and it seems to me that I might give expression to a thought that has been in my mind for quite a while. I believe that the American law schools are neglecting one important branch of the instruction, one important principle for rendering the highest public service.

It is one that has been touched upon in part by the Chairman's address, and in part by the gentleman from St. Louis. That is in the training of men for the enforcement of the criminal law. I have not heard of any American law school that is encouraging its students to enter upon the practice of the criminal law or to engage in the enforcement of the criminal law. I suspect that almost no Harvard graduate ever intends to enter on the practice of criminal law, or, if so, a very small percentage of them. Now, it seems to me that we shall never get proper enforcement of the criminal law until we educate men for the enforcement of it, until our colleges definitely set themselves to work to train men for the enforcement of the criminal law. As it is now we leave the enforcement of the criminal law to chance and haphazard. The public elects men as criminal prosecutors who have had little, if any, training in law schools or along the broad line of criminal sociology and subjects of that sort. The law schools are, of course, doing good work, but I believe they should enter upon this line. In the University of Texas, in our law school, we found upon investigation that 90 per cent of the alumni were elected to county offices, as public prosecutors. These men have had our brief course, which is only thirty hours in criminal law and thirty hours in criminal procedure, but those thirty hours are occupied

almost altogether in discussing the technical rules laid down in the statute books, and the decided cases and the technical rules of procedure, and almost no attention is given to the broader questions such as the causes of crime, the methods of preventing crime, the methods of punishment and its history, and a host of other questions of like sort; and the young men who go out from the University are largely still acting on the old principle that a man who commits a crime against society must suffer a certain amount of punishment, and when he has undergone that punishment he has paid his entire obligation to the state and society has no further concern about it. What we ought to do is to impress the point of view of the sociologists on the prevention of crime, the indeterminate sentence and the aftercare of the prisoners—in fact, the whole question of the enforcement of the criminal law. I say that matters of this kind are rarely broached to the young men who go out to enter upon the administration and the enforcement of the criminal law, and I believe that we should devote ourselves to the training of the men who are going into this work, as prosecuting officers and as judges of criminal courts. The whole subject of the criminal law is undergoing, among sociologists and to a great extent among lawyers, reorganization. Lawyers are still being turned out from the law schools with the mediæval idea of vengeance and the old system in practice of criminal law as it has come down to us from the time of Blackstone. I believe the universities can render larger public service if they will lend themselves to a study of the methods by which crime can be reduced and by which the proper enforcement of the criminal law can be effected. We are leaving largely the question of reform of judicial procedure on the criminal side to the lawyers, and the law schools are giving almost no serious attention to it. We are paying very little attention to the serious study of how to make the enforcement of the criminal law effective, and thus reduce the amount of crime and the disturbance of the community that follows from it. Now, it may be that I am on the wrong track, but it seems to me that there is one of the greatest fields for the community to address itself to. There is no doubt that the administration of the criminal law in America is a disgrace. Why, in the City of Dallas there have been more killings in a year than in the whole of England. I dare say that in Chicago there

are more crimes committed in a week than there are in Berlin during the whole year. The trouble is that we are not properly enforcing the criminal law. We had a case in our state, quite a celebrated case, where the prisoner was tried seven times in the lower courts; it took 72 different jurymen to dispose of the case, and each jury agreed that the man ought to be hung, and finally the highest court disposed of the case and the man was executed. I heard the Chief Justice of the Province of Ontario state at Montreal, in the meeting of the Institute of Criminal Law and Criminology, that it happened that he was holding court in London, Ontario, on the day that a famous trial began in Detroit, just over the border, in Michigan, and he said that on that day he tried eight different cases, in some of which the defendants were sent to the penitentiary, and that evening when he went home he picked up an evening newspaper and saw that during the course of the day in that trial over in Detroit they had only succeeded in selecting the sixth juror. I remember that a member of the Canadian Bar with whom I was speaking at the time remarked "What is the matter with your American people? Why, we wouldn't tolerate the sort of procedure that you have in the enforcement of your criminal laws, and I cannot understand how it is that a people who accomplish the great things that you people in the United States do are so far behind in your criminal procedure."

Of course, I do not need to talk about this further. All I wanted to do was to throw out the suggestion—and I hope there will be discussion of it here—that our universities and law schools are not touching the vital question that they should, and that there is a field which the universities and law schools should enter with seriousness and with vigor.

John C. Townes, of Texas:

There are one or two practical matters that I would like to call attention to. First, I should say that I agree with the statement made by Judge Bruce that the state institution is pre-eminently charged with the duty of fitting lawyers for public service. I do not say that private institutions are not also charged with the duty, but it certainly is the duty of the state's institutions. In the University of Texas we have laid stress on the

question of character building, and we instil into our students that by reason of their instruction at the expense of the state they are obligated to go out and return value received to the commonwealth in the way of intelligent loyalty and consistent behavior; that it is their duty at all times and under all conditions to meet the demands of society and to uphold the state in every respect. We recognize the fact that character is formed early in life. We also recognize that character may be changed by subsequent conditions and environment. We do not despair of a man whose early education has been neglected but we try to overcome the disadvantages that have surrounded him in his youth. Much has been said about the teaching of legal ethics. My observation has been that direct preachments do not go far with a young man. but that what he needs is an example; what he wants to strengthen him is the knowledge that comes to him often unconsciously from reading. I do not mean to discourage the teaching of legal ethics as a separate branch, but I think that the daily life of the faculty as they go about among the students will enable them to teach ethics in a better manner than the subject can be taught if put in the form of a lecture.

In addition to the matters mentioned by the Chairman as tending to prepare or train the young lawyer for public service we have sought to bring very closely together in our university the law department and the school of government. We encourage our students to take as much in the school of government as their studies in the law department will permit. We have endeavored to inculcate the proper ideas of citizenship, and the duties of a lawyer as a citizen through the law department and through the school of government department. In Texas we have this condition. We have a constitution that has got to be amended sooner or later, and we are endeavoring to train our young men in a knowledge of what should constitute a member of the constitutional convention. They are instructed in the written charters of government, going back into history and coming up to the present time. I do not know if we are going to get any good results from this course, but we have great hopes from it. There is no question that a well-trained legislator is more valuable to the public than is the untrained man, and we are attempting to train men to be useful not only as lawyers, but as citizens. We

have the regular curriculum for the law school, and these other departments are in the form of electives that the young men may take if they choose. In closing I want to suggest that while we quite properly lay stress upon a lawyer's loyalty to his client we do not emphasize enough the lawyer's duty to the community.

The Committee on Nominations reported the following nominations:

For President: Henry Stockbridge, of Maryland.

For Secretary: Charles M. Hepburn, of Indiana.

The nominees were duly elected to the respective offices named.

Adjourned on Thursday, August 19, 1915.

THIRD SESSION.

Thursday, August 19, 1915, 2.30 P. M.

The Chairman:

The only matter of importance before us at this time is the report of the Committee on Standard Rules for Admission to the Bar. This committee has been in existence for some years. In 1912 there was published a brief résumé of the work of the committee and a request was made for criticisms, opinions, and suggestions. At that time there were sixteen propositions put forth by the committee, and the committee received criticisms and suggestions from professors in law schools, from Bar examiners, and from practitioners. Mr. Bailey will present the report.

Hollis R. Bailey, of Massachusetts, then presented the report of the committee.

On motion, duly seconded, proposition A—"Examinations for Admission to the Bar Should be Conducted in Each State by a Board Appointed by the Highest Appellate Court," was approved by the Section without discussion.

Hollis R. Bailey:

I move that proposition B be approved—"A Law Diploma Should Not Entitle the Holder to Admission to the Bar Without Examination by this Board."

The motion was seconded.

H. A. Bronson, of North Dakota :

North Dakota has not had the diploma privilege for about ten years. Minnesota and Wisconsin still have the diploma privilege. Minnesota for some time, as I heard from President Vincent, of the University of Minnesota, has been trying to get rid of it; they have been seeking to have the legislature abolish the diploma privilege, but in spite of their efforts to have it abrogated, President Vincent stated that an insistent lobby on the part of some other law schools had prevented the legislation desired from being enacted.

Hollis R. Bailey :

It may interest members from Indiana to know that in 1842, in New Hampshire, an act of the legislature was passed that any man of good moral character who had attained the age of 21 years should be admitted to the Bar ; but many years ago they did away with that law and they now have a State Board of Law Examiners.

The proposition was thereupon approved.

Hollis R. Bailey :

Now I read proposition I :

"The candidate shall on admission be a citizen of the United States."

This proposition was discussed at one of our meetings and brought out a considerable expression of opinion both one way and the other from the gentlemen who spoke in regard to it. You will notice the wording which is: "shall on admission." That means that he may begin to study law while he is still an alien, and, if he files his first papers, it will be no hardship to require him to be a citizen of the United States at the time he is admitted to the Bar. I move that the proposition be approved by the Section.

The motion was seconded.

William Draper Lewis, of Pennsylvania :

It is puzzling to me why they should be citizens of the United States. I have never seen this operate except at considerable hardship and with no benefit to the community. I suppose the majority of gentlemen here are aware of the fact that this is not required in England. I do not know whether it is required on the

continent of Europe or not. My personal experience would be that it had worked a hardship, with no beneficial result; but my personal experience in this regard has been very small.

Mr. Bailey:

It appears by the notes contained in the printed report that on the continent of Europe—and every country has been reviewed save England and Italy—they require members of the Bar to be citizens. In the United States there is at the present time some diversity in that respect. I suppose the real reason is that it is desirable that men who are going to be members of the Bar should have some acquaintance with our institutions and the spirit of them, and that if they are required to become citizens that is just one small test in that direction. I think myself that the practice in Massachusetts would be better if the law were as stated in this proposition.

Mr. Chambliss:

May I state that I think the reason England does not require citizenship is that the Inns of Court, which regulate the entrance and admission to practice law, is in a sense a private corporation or a *quasi* public corporation and is, so to speak, the only law school.

Edmund F. Trabue, of Kentucky:

I would like to ask if it is practicable for a man who is not naturalized to take the oath to support the Constitution of the United States and the constitution of the state wherein he is admitted to practice? Would he give up his citizenship abroad? It seems to me that it would be inconsistent.

Hollis R. Bailey:

That does seem a little peculiar. I don't know whether they renounce their allegiance to another country or not.

The proposition was thereupon approved.

Hollis R. Bailey:

I now move that proposition II be approved:

"He shall also be a citizen of the state in which he is applying for admission, or prove that it is his intention personally to maintain an office therein for the practice of the law."

In Massachusetts we have not required that members of the Bar should be citizens of the state. Prior to 1904 we did. Then we found that there were some residents, citizens of Rhode Island, wanting to maintain an office in Providence and also an office in Boston, and some citizens of New York who wanted to maintain an office in Massachusetts, and some citizens of Connecticut who wanted to maintain an office in Massachusetts, and we felt that there was no great harm in permitting it. But as a general proposition it does seem wise that a man should be either a citizen of the state in which he is applying for admission to practice or that he shall submit proof of his intention to personally maintain an office therein for the practice of law. That seems a reasonable requirement.

That proposition has been approved at one meeting of the Section, and I move that it be now adopted.

The motion was seconded and carried.

Hollis R. Bailey:

Proposition III is as follows:

"Character Credentials on Application for Admission shall include the affidavits of three responsible citizens, two of whom shall be members of the Bar, and the affidavits shall set forth how long a time, when, and under what circumstances those making the same have known the candidate."

I think that is a good rule, and I will illustrate it in this way: A year before our last Bar examination in Massachusetts a man came from New York wishing to take the examination. His petition was signed by an attorney in New York State. I said: "This won't do. Do you know anybody in Massachusetts?" He said that he did not. I found that he had been to the clerk of the court and requested that he recommend some person who, for a compensation, would sign his petition. The result was that the man did not get any one to sign for him. Of course, it does happen that a man may come from New York or from Chicago into Massachusetts with letters of introduction to people that will satisfy a member of the Bar in Massachusetts to endorse their petitions, but I think this rule requiring three responsible citizens to endorse a man is a safe one.

I move that it be now approved.

The motion was seconded and carried.

Hollis R. Bailey:

The next proposition of which the committee approve is No. V, which reads:

"Three years practice in states having substantially equivalent requirements for admission to the Bar shall be sufficient in the case of lawyers from other jurisdictions applying for admission on grounds of comity."

The practice in different states varies. Of course, that is not the only requirement. All those applicants from other states are required to produce evidence of their good moral character. If they do that and show three years practice in the states that I have named then they are exempt from taking the regular Bar examination. The committee accepted an average of three years practice in states having substantially equivalent requirements. In Illinois they are very careful to inquire whether the applicant was admitted in the first instance after an examination substantially equivalent to the Illinois examination.

I move that this be approved.

The motion was seconded and carried.

Hollis R. Bailey:

You will have noticed, gentlemen, that I passed over No. IV. That is not recommended by the committee. It says "The lawyer on admission shall be designated attorney and counselor and not merely attorney." The replies to the suggestions on that point were various, and very little support of that proposition was received.

Mr. Chambliss:

I would like to enquire what, under No. V, you are going to do about the moral character of a man who has practiced three years?

Hollis R. Bailey:

In Massachusetts we require that he shall bring a certificate from practicing lawyers in the state where he was admitted and a certificate from the clerk of the court not only that he was admitted to practice law but that he has not been disbarred; and if possible to get a certificate from one of the judges that he is a man worthy of being admitted, and we get one or two letters from

men in Massachusetts stating that they know about the man and recommend his admission. We see the man himself and talk with him. It is surprising how many men go from the states in which they were admitted to the Bar into other states and seek admission. There was a man who was disbarred in New Hampshire that came to Massachusetts and applied to be admitted, and we found out the facts about him and of course did not admit him.

We come now to Proposition VI, which reads as follows :

" VI. There is no necessity for the insertion in the rules of a reciprocal comity provision ; that is, of a proviso prohibiting the admission of lawyers from other states on grounds of comity, unless the state from which the lawyer comes extends similar courtesies to lawyers from the Bar of the state in which the candidate is applying for admission."

In some jurisdictions, I think in the Province of Quebec, they refused to admit an applicant coming from one of the states. I move the approval of this Section.

The motion was seconded and carried.

Hollis R. Bailey :

The committee apparently had some difficulty with propositions VII and VIII, in regard to the registration of students, and did not come to any final conclusion. Therefore, I will pass those, and come to proposition IX, which is a separate matter. That was discussed the other day. Dean Lewis says that is required in Pennsylvania. I think that if we are going to have registration it would be desirable to have proof at that time. The proposition reads as follows : " Proof of Moral Character Shall be Required as a Prerequisite to Registration."

I move the approval of that rule.

The motion was seconded and carried.

Hollis R. Bailey :

Nos. X and XI are still awaiting the approval of the committee. Numbers XIV and XVI have been approved heretofore. No. XIV reads as follows :

" From the examination fees received the members of the State Board shall receive such compensation as the highest appellate court of the state may from time to time by order direct."

That, I take it, is the ordinary rule ; and I move its approval.

John B. Sanborn, of Wisconsin:

Do I understand that that implies compensation in addition to fees? In Wisconsin where fees are charged they are required to be paid into the state treasury, and all compensation is paid out of the state funds and not out of any specific fund.

Hollis R. Bailey:

In Massachusetts it was provided that there be only the fee received by the clerk and turned over to the state treasurer, and that out of that should be paid the examiners, and the board of law examiners have their pay out of that compensation.

John B. Sanborn:

I have always doubted the wisdom of including a purely administrative feature like this in a uniform law.

Hollis R. Bailey:

These rules are intended to be suggestive rather than mandatory.

Mr. Chambliss:

While I am not opposed to this rule I am heartily in accord with what Mr. Sanborn says. I think we ought to get rid of everything in these rules that is not essential to the purpose which we have in view.

Now, I will move to strike out the first five words in this paragraph, namely, "From the examination fees received," and let the next word begin the sentence.

The motion was seconded.

The Chairman:

Are there any remarks upon this motion? If not, all in favor of it will say aye; opposed, no. The motion is carried, and those words are stricken out.

George C. Manly:

I think this entire rule ought to be recommitted to the committee. I move that it be recommitted.

The motion to recommit was seconded and carried.

Mr. Bailey:

Now I come to No. XIV, which has been approved by the committee, and which is as follows:

"The state board shall consist of five members of the Bar, no one of whom shall receive student candidates in his office in preparation to call to the Bar, or be connected with the faculty or governing body of any law school presenting candidates for admission."

I think that is a good rule. In New York they have such a rule, and I move the approval of it.

The motion was seconded and carried.

Hollis R. Bailey:

Now I will go to proposition XII, which gives a list of subjects for examination.

The committee has amended that somewhat. I have a letter from Mr. Wigmore, stating that he agrees with the recommendations of the committee, excepting this: "I oppose any specification of subjects because experience shows it cramps the development of the school curriculum and misleads students to give artificial weight to some subjects. Moreover, it is needless."

I move that the form presented by the committee be approved. This list is suggestive rather than mandatory.

Secretary Hepburn:

It seems to me that this proposition XII has in it a good deal of meat, and would afford an excellent opportunity for a conference in the Section next year. I believe the committee has done exceedingly well with the matter, and about all that any committee could do, but my feeling is that this proposition, and perhaps others as well, should be sent to a conference next year when we could discuss these particular propositions upon which there is a difference of view and a broadening of horizon. Therefore, I move that proposition XII with such other propositions as we may decide to include in the list be referred to a conference in this Section next year.

The motion was seconded.

Hollis R. Bailey:

Do you mean a conference to cover the whole matter of standard rules?

Secretary Hepburn :

My motion is that the propositions which we do not adopt here today had better go to a conference. I do not see why we should send them back to the committee.

Hollis R. Bailey :

That will leave for further consideration the matters covered in propositions VII and VIII as to the desirability of the registration of students as they now have it in some states, and it will leave the matter contained in proposition XI about the period of study, whether it shall be three years or four years, or three years in a law school and one year in an office, a matter which is certainly important and interesting, and will leave proposition XV, which was a suggestion as to the fee for admission or for the filing of the petition. So that you will see that there is a substantial amount left for discussion another year. Somebody may think of something else which is important to go into the standard rules, which, as I understand it, when finally approved, may be reported to the Committee on Legal Education of the American Bar Association which committee will bring them before the American Bar Association for adoption.

I make no objection to Mr. Hepburn's motion, because I think the remaining work can just as well be done in the Section itself as in a committee. I suppose that the motion will include a discharge of the committee.

Secretary Hepburn :

The committee have done excellent work ; they have reached a result, and I think a great deal will be gained if upon these matters that we cannot dispose of this afternoon we can confer as in Committee of the Whole next year and then send the entire matter to the Committee on Legal Education and Admission to the Bar of the American Bar Association.

George C. Manly :

I very much wish that we could bring this matter to a conclusion so that we could go before the legislatures of the different states with some constructive proposition. This matter of raising the standards of legal education and of admission to the Bar

depends very much upon the legislatures of the different states. What we need now worse than anything else is that some states which have maintained a low standard for admission to the Bar shall be brought up to the standard proposed by these rules. We have a number of such law schools where the standard is very high. There are a number of them which require a college degree for admission to the law school. A great many—in fact, a majority—of the American Law Schools have now come to the three year course. Many of them are requiring at least two years of college work as a standard for admission. Yet throughout the South there are some law schools which are on a two year basis.

Now it seems to me that we shall make no great progress along this general line until we get before the legislatures with these standard rules and have them adopted.

Therefore, I say we ought to try to arrange things at this meeting so that if we bring this matter into a conference at our next year's gathering we shall have such a conference on a day prior to the meeting of the American Bar Association. That will give us an opportunity to bring the matter before the American Bar Association and get it on record, and then we can commence this work of reformation. Because unless we have the authority of the legislatures to fix higher standards we are not going to make any great progress. Colorado is a new state, and a state of not very large population. Our two law schools, while they are rivals, have worked in harmony for a high standard. We have seen in the last two years in Denver the formation of a night law school. One would suppose that two law schools were enough for a state having the population that Colorado has. The night law school is a school without any high standard. It is useless for Dean Fleming and myself to attempt to raise our standards in our schools when a man with the commercial idea, a man who has no conception of high standards at all, can slip into a night school in Denver and get the minimum of requirements under our present statutes. Our statutory requirements are higher than those of many Western states, and our State Board of Examiners gives a real examination; yet we want the help of a more rigid statutory requirement. It is useless for the law schools of the East and of the Middle West to keep on raising their standards when the

standard established by the legislatures and by state boards of examiners doesn't come within 40 per cent of the requirement of the law schools. We must raise the statutory requirement, and then the law schools will have some basis upon which they can work; but so long as the legislature maintains the idea that any old standard is good enough, why, we are going to have this trouble. It seems to me the time has come when we must get in a position to go before the states with a definite proposition. Many of the states only require two years of law study. A determined effort ought to be made to increase the length of time.

Mr. Hepburn:

I think that Dean Manly's suggestion that the Conference next year, if held, should precede the meeting of the American Bar Association, is a good one. We have these propositions now in definite shape though not in the final shape that may be deemed the best. To send them back to the committee will simply mean that they will have to come back to us again next year. Why shouldn't we take the propositions as we have them now and next year arrange to hold a conference of two or three sessions at the opening of the meeting of the American Bar Association with a view to submitting the propositions for action then? We should aim next year to reach a final result, and then we shall be able to go with it before the legislatures. It was with that idea that I moved to send these matters upon which we cannot arrive at a final conclusion this year to a conference next year.

The motion of Mr. Hepburn was carried, and the committee was discharged from further consideration of the subject.

Secretary Hepburn:

Last year a list of all members of state boards of law examiners was prepared and it was published in a separate pamphlet, but it was not published in the proceedings of the American Bar Association. It is suggested that this year that list be revised and brought down to date as of September 1, and included in the regular volume of the proceedings of the American Bar Association.

Hollis R. Bailey:

I believe that all Bar examiners and others interested in legal education would be benefited if we had such a list as Mr. Hepburn speaks of. I move that Secretary Hepburn be instructed to obtain, if possible, the publication of an up-to-date list of the members of the principal boards of Bar examiners throughout the country and to secure its publication either in the regular volume of the American Bar Association or in one of the issues of the JOURNAL OF THE AMERICAN BAR ASSOCIATION.

The motion was seconded and carried.

Hollis R. Bailey:

There is one other motion that I would like to make, namely, that the Secretary be directed to report to the Committee on Legal Education of the American Bar Association the resolution which was adopted on Monday in regard to the matter of the personal examination for applicants for admission to the Bar, with the request to that committee that it make a report next year to the American Bar Association and endeavor to have that resolution approved.

The motion was seconded and carried.

The Chairman:

Before declaring the meeting adjourned I desire to express on my own behalf and on behalf of the Secretary, our gratification and appreciation of the very cordial support which has been met with in everything that we have tried to do to make these meetings a success; and I think I may add that we have had a very successful meeting this year.

Adjourned *sine die*.

ADDRESS OF CHAIRMAN.

BY

CHARLES E. SHEPARD,
OF SEATTLE, WASHINGTON.

THE EDUCATION OF THE LAWYER IN RELATION TO PUBLIC SERVICE.

This Section is now nearing its quarter-century mark and apprehension is sometimes expressed that, in no long time, there will cease to be unsettled topics for it to discuss. But education is a subject of perennial interest and multitudinous and mutable aspects. It can be viewed from many angles, and it bears on all the diverse phases and functions of life. An age such as the past half-century, replete with striking changes in science, philosophy, politics and the practical arts, inevitably presents many new problems, propounds many searching questions, as to the bearing of these changes on the content and processes of instruction to the oncoming youth. No wonder, then, that for many years the else placid pools of the universities have been troubled with floods of words on what, why and how to teach. Debate, sometimes fruitful, sometimes barren and acrimonious, always ardent, persists on one or another branch of the topic.

Education certainly must be adapted to both the old and the new elements in the life of each age, or it will not achieve its aim. And this suggests the query whether the training of the young lawyer today fully meets his needs on the side of public and political affairs. What should be the education of the lawyer in relation to public service?

Over two centuries ago, it was laid down as the foundation of a small "collegiate school" which has since then become a great university that it was to train its sons "for service in church and state." The same general aims remain, but the ways to reach them are far different. Life has become vastly more complicated, the increase of knowledge and its materials so enormous that much selection and specialization are imperative.

The simple and uniform education of former times no longer suffices worthily to equip one for either professional or public life. It is certain that a considerable portion of the members of the bar will in their day and generation fill public offices, some of them high and important offices, that many others will take part in public discussion and political action, and that all should be fitted to do that intelligently and creditably. In democratic America to be a lawyer inevitably breeds interest in public affairs; and participation follows interest. It is a familiar fact that a very large part of the higher officers in both state and national governments are lawyers. A majority of the Presidents, very many cabinet members, diplomats, governors and administrative officers of the states, and thousands of legislators, state and federal, have been trained for the Bar. Perhaps the most striking instance that the law is neither silent nor absent in the person of its followers, even amid the arms of the War and Naval Departments, was shown by the recent President of our Association when he was Secretary of War. We cannot pause to recount in detail the many other ways, less conspicuous and direct, yet effective, in which the men of law have participated in the shaping of public opinion, the control and conduct of public action, and in service on many public boards and commissions not of professional character. When our country is served to such a degree by its lawyers, it is well to ask ourselves: What shall we teach these law students to make them fit for public office and apt for public affairs, so that the republic shall take no harm? Can we teach them anything to that end? If so, what shall it be?

Before we attempt an answer to these questions, let us consider briefly another reason than the historical one why the American youth designed for the Bar should have an education in some degree preparatory for public life, and beyond strict professional limits. The most insistent cry in the whole world today is for justice—justice individual, social, political, international. Civil and political and international order begets justice; perfect order under perfect law is itself justice. Very much—though by no means all—that is wrong in our country today is within reach of cure or improvement by changes in the law—a simpler procedure, a surer and swifter criminal law, a civil law better

adapted to modern life, to the social rights and needs of the multitude, to the organization of commerce and industry as they are now, instead of as they were in a past age, under other methods. An obsolescent law, an aloof and indifferent Bar—the one can amend the other—and itself, better than others can, and should take the lead. We are in process of bettering these things, but the process will not reach an end within our time. The lawyers of the next generation—or more—must carry it on; and they should be fit for the task. To that end their education should have some conscious relation, some intended adaptation. To be more precise, they should be educated not merely in the technique and the learning of the profession, with horizons bounded by the walls of the counsel chamber and the court room, but as broad-minded and high-minded citizens. In this republic, of public service both in the orderly and unemotional processes of government, and in the more strenuous and impassioned reformation of the law, in the future as in the past, there will be no surcease.

But is this anything more than a counsel of perfection? More than a fine ideal? An ideal it doubtless is. But certainly the educators of ardent and impressionable youth should never forget Carl Schurz's noble saying: "Ideals are like stars; we cannot, indeed, touch them with our hands; but they will guide us to a safe and sure haven." And they are like the torch in the hand of the Grecian runner still handed on to the next and still held high in advance.

What then is feasible to realize this aspiration? Or to recur to our earlier question—Can we teach our students of law anything expressly to fit them for public service? If so, what shall it be?

These questions at once bring up the distinction between ethical and mental preparation for public service—the distinction implied when we say the coming lawyer in public life should be trained to be both a high-minded and a broad-minded citizen. It does not seem to me that beyond the fundamentals of professional ethics, much can be directly imparted in the way of moral instruction. You cannot teach patriotism or a high sense of honor, or any other public virtue directly. They are acquired by absorption, not by class-room drill. But much

of ethical value can be taught indirectly, out of the records of high and noble service in office and out of office. Such examples teach morality as well as philosophy; and herein is one important use of legal history and biography. Somers resisting the pressure of King and court to convict the seven bishops, Romilly and Brougham and Macaulay and Field in their great efforts to reform and codify the law—these are but few of the many instances—whereof time would fail to tell all—of devotion to high ideals of public duty within and without the lines of professional labor. No youth fit by nature to become a public servant or to help mold public thought can fail to be fired by their contemplation.

When we come to the problem of giving instruction of an intellectual type, other than the narrowly or technically professional, which is the usual curriculum of the law school, we see at once that we have to deal with three classes of students who cannot be treated alike in this respect; the office student, the law-school pupil who has not taken the general college course, and the law-school pupil who has taken it.

Formerly, when law schools were few, and modern mechanism and methods had not ruined the law office as a place to study law, many, perhaps a majority, of students in offices were college graduates; indeed they felt that after their collegiate training it was the less necessary to undergo the class-room drill of the law school. But at present probably a large majority of the college graduates who study law do so in a law school; while most students in law offices are in remote or small country towns and their general education has not gone beyond the high school. We may therefore reduce the three classes to two: those who have had a collegiate education and those who have not.

Now no one doubts that there have been many brilliant and eminent lawyers who attained high public rank without a college education; but the argument, buttressed with the names of Lincoln and other famous men, that one may as well not go there, is a naïve *non sequitur* which we need not stop to confute. Certainly those who have had that advantage and who are better able to judge than those who have not, agree on its great value both for its general or cultural uses and for the broader outlook and readier facility in professional work which it gives. But we must

face facts; and one unescapable fact is that a collegiate degree cannot now, and probably cannot for many years, if it ever can, be set up in this country as the one narrow gate to the bar; for that notion is contrary to the spirit of our people.

What, then, are these additional studies, outside of the regular course of the law schools, or what we may call for brevity the extra-professional studies, that are desirable for the student to take? This is not the occasion for laying down a curriculum of such studies, and least of all should that be done by one whose chief activity in education has been the self-education of practice at the Bar. But a few suggestions may be ventured.

Foremost, perhaps, is international law. It is a historical study of deep interest as showing the growth of civilization, and the reflex action of commerce and industry, that is, of life, on law. In that light it measures the increasing control by the people, who carry on commerce and industry, of their rulers, who by their armies and navies make war and by their treaties make peace, and by both make international law. It is therefore both a humane study, in the university sense of the *literae humaniores*, and a humanitarian study as exhibiting the amelioration of war. It will not do to say, in view of Europe's ruined cities and the waste of waters where sank the Lusitania, that there is no such thing in time of war as international law. Breaches of law, however many and flagrant, do not prove there is no law, until they attain the point of real anarchy. Even in the face of such horrors, the voice of law is not silent, though drowned and ineffectual in the din; and it will be the louder and more authoritative when peace ensues.

But there is a more practical reason for knowledge of international law by the coming generation of lawyers, which has been well expressed by Senator Root. "The increase (he says) of popular control over national conduct, which marks the political development of our time, makes it constantly more important that the great body of the people in each country should have a just conception of their international rights and duties. . . . Of course it cannot be expected that the whole body of any people will study international law; but a sufficient number can readily become sufficiently familiar with it to lead and form public opinion in every community in our country upon all important international questions as they arise."

Need I add that of this sufficient number, lawyers, who are the natural leaders of opinion on whatever touches their sphere, should form a large part? And certainly, if any studies are to be required for entrance to the Bar besides those immediately pertinent to ordinary practice, this should be one wherever it is not already pursued.

Although the thought is apart from my main theme, I may pause a moment to suggest that even to the lawyer primarily as such and not as a citizen, international law is of increasing practical importance. The ease and speed of communication and of transportation have become so great that questions of international law, private and public, and of comparative law, are constantly arising in commercial centers and those subjects for their professional value merit the attention of the ambitious student.

Mention has been already made of the value of biography as an inspiring influence; and to that should be added history and particularly legal history. For history is not only, as Freeman said, past politics; it is past art, past science, past literature, past law. And by history of law I do not mean only the development of a given doctrine or rule of law—a matter of technical learning to be extracted from the statutes and reports—I mean those general surveys of the growth of the law or of large branches of it, which put the student *en rapport* with the progress of civilization in its jural aspect. Such, for instance, as Reeve's History of English Law, Spence's Equitable Jurisdiction of Chancery, Holmes' Common Law, Maine's Ancient Law, Maitland's works on early English Law, the Legal Historical Series, now in course of publication, the Essays in Anglo-American Law, and some of Bryce's admirable studies in comparative law and in the constitutional history of England and the United States. One can attain only a journeyman's knowledge of the profession who does not at least seek sufficiently near to the sources to form some acquaintance with its progress from an early state. And I may add that where the case-method of study prevails, as it does so generally now, such comprehensive surveys, at least of some branches of the law, may be a useful counterbalance to the risk of failing to see the forest for the trees.

Economics, civics or the science of government, and other branches of sociology and political philosophy, the lawyer who would be prepared to take a part as citizen or officer in public affairs should know something of. Yet how often do men who succeed at the Bar display ignorance and indifference as to them, and by their crude proposals flout the lessons of experience. The rising threat of socialism, the pressing questions of social reform, the violent conflicts of labor and capital—all these and others quite as insistently demand that the young lawyer, to play his part, must have some knowledge, some guiding principles of action, with which to meet them.

Some of our law schools cover portions of the foregoing suggestions in their entrance examinations, some offer international law and some branches of legal history as required or optional topics in their third year, and more extensive studies of the same general character in post-graduate courses. And, of course, any such extra-professional studies cannot be required alike of the two classes, the college graduates and the non-graduates. For the former have already had in most colleges giving a four years' liberal-arts course some of these studies or others of similar scope and cultural value. On the other hand many office students and law-school graduates come to the Bar well equipped with knowledge of technical law but based on a very meagre general education. Both they and (sometimes) the public will suffer for that lack. To adapt such requirements, then, to the needs and prior preparation of both classes, courses in the schools could be so arranged as to attain a minimum amount of instruction for all, elective as to the collegian, required as to others. And if by reason of his previous studies the college graduate is able to pursue broader or collateral courses of reading, that will only be the just reward of his superior preparation. And as for those who enter the Bar not by way of the law school, the Bar examiners should raise their standards at least to an irreducible minimum of the subjects that we have been considering.

The present three years course of many law-schools is already well filled, not to say crowded, with strictly professional studies. Where, it will be asked, is the student to find the time to pursue any of these other studies? For several years the conviction has been gaining ground that the teaching of pleading and practice

in the school is inefficient and unsatisfactory, and that the problem must be met by confining the school studies to substantive law (at any rate not going beyond teaching there the fundamentals of adjective law) and that one year in a law office should be required before entrance to the Bar, as the means of acquiring a real knowledge of pleading and practice. This is the goal sought and in time to be attained. When reached, time enough for the other studies here advocated will be released, which is now spent and largely wasted, on the unreal study of practice.

The education of the lawyer—how important it is for himself and for his fellow citizens! His standards of conduct cannot be too high, his field of learning too broad for the work he has to do. He cannot, no one in this age can, say with Bacon, in Bacon's sense, that he takes all knowledge to be his province. But he can say that into no province of knowledge he may not need to make excursions. To the ideal lawyer, we may apply Terence's words that nothing in human nature and human affairs but is akin to him. For he embodies to us the idea of law, which is the universal order of civil society, and touches all interests. Alike in private affairs and in public life he seeks to restore that order when violated, to strengthen it when enfeebled, to adjust and rectify it amid novelties. He is a great conservative force of society, distant alike from the iconoclast and the reactionary. He is a great constructive force of society, for he builds where others destroy and brings order where they had left confusion. His education should fit him for all the varied functions of his career, and make him not only an advocate and a counselor, but a wise and instructed citizen well equipped for his duties to the commonwealth alike in private and in public life.

**PRACTICAL METHODS OF ASCERTAINING THE
MORAL CHARACTER OF CANDIDATES FOR
ADMISSION TO THE BAR.**

BY

**DAVID LEVENTRITT,
OF NEW YORK CITY.**

No subject can more worthily engage the attention of this Association and of the various local bar associations than that of ascertaining the moral character of candidates for admission to the Bar. Considering the confidential relation between attorney and client and the extent to which the interests of the community at large are dependent upon the honor and integrity of the legal profession, it becomes a truism that the problem of passing upon the moral qualifications of candidates for admission is one closely affecting the public welfare. The admission of new members to the profession places a grave responsibility not only upon the attorney admitted but upon those who sanction his admission. By the act of conferring the privileges of an attorney at law, the state itself, to an extent, vouches for both the legal attainments and the moral character of the man, and holds him out to the community as one in whom confidence may be placed. Surely this stamp of approval should not be lightly bestowed, and when through indifference and insufficient investigation it is misplaced, the result approaches a calamity. The old maxim that prevention is worth more than cure is here especially in point. The time to take most effective action for the uplift of the legal profession is before the candidate is admitted and not when disbarment proceedings are pending. And there can be no doubt that the necessity for disbarment, with the accompanying reflection upon the integrity of the profession, is frequently the result of a lax and perfunctory method of passing upon the character of the candidate at the time of his application for admission.

We hear much of elevating the intellectual standards of the profession by means of more exacting requirements as to scholarship and legal learning, but is it not equally important to strive to

protect and uplift the moral standards of the profession by employing all reliable methods that can be devised for detecting and excluding the morally unfit?

In large cities and populous communities the need for a searching scrutiny of the moral character of candidates for the Bar is more than ordinarily imperative. In the City of New York, where for more than five years I have served as Chairman of the Committee on Character, the problem of ascertaining the moral qualification of applicants is probably more complex than elsewhere. Our local conditions are doubtless duplicated to some extent in all large cities. Many candidates come from the obscure walks of life and are little, if at all, known to members of the profession of recognized standing, while a considerable number are from the ranks of those who have been in the country but a few years. The ascertainment of the past record of these candidates is difficult, but for the sake of the profession and as a safeguard to the community it must be done so far as possible. By this reference to the peculiar necessity for the investigation of the character of applicants in the larger cities, it is not meant to minimize the need for such investigation in other communities. The task may be simpler elsewhere, but its conscientious performance is equally imperative.

The methods now employed by the Committee on Character, of which I am Chairman, in investigating the moral character of applicants for admission to the Bar, have been developed during years of experience in dealing with this difficult problem. While these methods are surely not perfect, they nevertheless include every useful expedient that the members of our committee have, so far, been able to devise. Naturally, therefore, my recommendations can hardly be expected to go beyond those methods and practices. Accordingly, it seems to me that the most instructive presentation of the subject that I can make will consist in reciting in some detail and with occasional comment, the proceedings of the Committee on Character in the City of New York.

First, there is the question of a suitable tribunal or committee to pass upon the character of applicants. In theory this duty ultimately rests with the courts, but in my judgment it should be delegated to a special committee charged with the responsibility of investigating the character of applicants and of excluding all who are unworthy.

In the State of New York, which is territorially divided into four judicial departments, in each of which sits an intermediate appellate court called an Appellate Division of the Supreme Court, the admission of attorneys is under the supervision of these several courts, subject to the rules as to the examination and qualifications of candidates promulgated by the Court of Appeals, our highest appellate tribunal. A statute provides for the periodical examination of candidates, as to legal knowledge, in each judicial department, by a Board of Law Examiners, and that "Upon the State Board of Law Examiners certifying that a person has passed the required examination, the Appellate Division of the Supreme Court in the Department in which such person shall have resided for at least six months prior to such application, if it shall be satisfied that such person possesses the character and general fitness, requisite for an attorney and counselor-at-law, shall admit him to practice as such attorney and counselor-at-law in all the Courts of this State." But the duty of ascertaining the character of applicants is not left to the several Appellate Divisions. By a court rule of practice the Appellate Division in each Department is required to appoint each year a Committee on Character and Fitness composed of not less than three members "to whom shall be referred all applications for admission to practice as attorney and counselor-at-law." As this rule prescribes generally the duties of these several committees on character, I will quote it in part:

"To the respective committees shall be referred all applications for admission to practice The committee shall require the attendance before it, or a member thereof, of each applicant, with the affidavit of at least two practising attorneys acquainted with such applicant, residing in the Judicial District in which the applicant resides, that he is of such character and general fitness as justifies admission to practice, and the affidavit must set forth in detail the facts upon which the affiant's knowledge of the applicant is based, and it shall be the duty of the committee to examine each applicant, and the committee must be satisfied from such examination, and other evidence that the applicant shall produce, that the applicant has such qualifications as to character and general fitness as in the opinion of the committee justify his admission to practice, and no person shall be admitted to practice except upon the production of a certificate from the committee to that effect, unless the court otherwise orders.

"No applicant shall be entitled to receive such a certificate who is not able to speak and to write the English language intelligently, nor until he affirmatively establishes to the satisfaction of the committee that he possesses such a character as justifies his admission to the Bar and qualifies him to perform the duties of an attorney and counselor-at-law."

Doubtless every state requires some proof, usually by affidavit, of the good moral character of candidates for admission to the Bar. Where this proof is submitted only to the court, it is, I believe, usually accepted almost as a matter of course, and any consideration of the morals of the applicants is perfunctory. A searching investigation of the character of applicants is really foreign to the functions of an appellate tribunal, and, in any event, is a task too burdensome to impose upon the court. I therefore believe that, as in the State of New York, the duty of investigating the character of applicants should be delegated to committees, or a committee, having full authority and responsibility in the premises. In most states one such committee would probably be adequate.

In the First Department of the State of New York, in which our committee serves, four law examinations are held annually. The number passing each examination averages approximately seventy-five. These, together with a few applicants who seek admission on the ground of prior practice in other states, as permitted by a rule of the Court of Appeals, have to satisfy the Committee on Character of their moral qualifications and fitness before being admitted. The committee in our department is composed of five members.

As appears from the statute to which reference has been made, the State Board of Law Examiners certifies to the Appellate Division after each examination a list of the names of those who have successfully passed. This list is delivered to the Committee on Character, which then causes to be published for ten successive days a notice, setting forth the names and addresses of the candidates and calling upon them to file their papers, including the requisite affidavits as to character, on or before a certain date, usually about two weeks from the insertion of the first notice.

Probably the most important paper required to be filed by the applicant is his own sworn statement verifying his answers to the questions which the committee submits to each applicant.

These questions are printed on blank forms, with space for the answers. The verification required is that the applicant "being duly sworn, says: I have read the foregoing questions and have answered the same in my own handwriting fully and frankly. The answers subscribed by me are true of my own knowledge."

Inasmuch as these questions and answers furnish the basis for the preliminary investigation of the character of the candidate, it may be instructive to set forth the questions in full:

1. Give your full name, age, residence and birth place. If born in a foreign country, at what age did you come to the United States? If naturalized, state when and where.

2. Have you always resided in the City of New York? If not, state where and when you resided elsewhere.

3. State the names, residence and occupation of your parents.

4. State all the schools you have attended and between what dates.

5. Did you attend college? If so, state what colleges and when, specifying dates. What degrees, if any, have you received?

6. Did you attend a law school? If so, state what school and when, specifying dates. What degrees in law, if any, have you received?

7. Have you been employed in, or studied law in, a law office? If so, give a full list of such offices and state the period, specifying dates and nature of your employment or study in each. State specifically the office of the practising attorney in which you have served a clerkship for one year continuously, either before examination by the State Board of Law Examiners or after such examination and prior to your application, as required by Rule III of the Rules of the Court of Appeals for the Admission of Attorneys and Counselors-at-Law.

8. Have you ever applied for admission to practice as an attorney or counselor in any court in any other state or country? If so, specify when and where; whether you were admitted to the Bar, and if so, how long and where you practiced.

9. Have you ever applied for admission to the Bar of the State of New York in any department other than the First? If so, where, when, and with what result?

10. Have you ever been employed in any occupation, business or profession other than the law? If so, when and where? State fully the names and addresses of all your employers, the positions you have occupied and the period of such employment, specifying dates. Are such employers willing to appear before the committee on your behalf? Have you ever been engaged in any business or profession on your own account? If so, state in detail the nature thereof, the time during which you were so engaged, where the business was located, and what became of it.

11. Have you ever been a party to or otherwise involved in any legal proceeding? Have you ever testified in any legal proceeding? If so, state facts fully.

12. Give the names and addresses of the persons to whom you refer as to your character and state how long you have known each.

13. State fully the various reasons for your desire to adopt the practice of the law as a profession.

14. State in a general way your plans for the future in the legal profession.

The answers to these questions, duly verified, together with the affidavits of practising attorneys as to the character of the applicant, are delivered to the Chairman of the committee, and then begins the preliminary investigation of the candidate's moral qualifications. If any questions are not fully answered, the applicant is notified and is required to supply the omission, and, of course, re-swear to his verification. Whenever an affidavit of an attorney, submitted in behalf of any applicant, is not definite as to facts or is otherwise unsatisfactory, the applicant is required to submit an additional affidavit or affidavits by the same or other attorneys. A very common fault of affidavits of sponsors is that they state conclusions without sufficient facts on which the conclusions are based. The committee is very insistent that the facts upon which an attorney bases his belief that the applicant is a person of good moral character shall be set forth. The committee must be apprised of facts sufficient to enable it to form its own conclusions upon that subject and will not accept the mere conclusions of others. It is required that one or more affidavits in behalf of each applicant shall be based on more than a mere office acquaintance between the sponsor and the applicant. The committee insists upon knowing something of the demeanor and habits of the applicant outside of business hours.

The published notice to applicants to file their papers, which has been mentioned, requests that affidavits of attorneys personally known to some member of the committee, be furnished. This is an additional safeguard which the committee requires, except in those cases where compliance is impossible. When such affidavits cannot be had, other precautions are adopted. Information is sought as to the standing and repute of the attorneys whose affidavits are offered, and frequently an affidavit or letter in behalf of the candidate from a teacher or minister, or some other

person of known integrity, having a personal acquaintance with the candidate, is required.

The applicant's answers to the questions frequently suggest matters for inquiry. The answer to question No. 11 as to what, if any, legal proceedings the candidate has been a party to, frequently requires further investigation. For example, if a judgment has been taken against the candidate in an action for debt, the committee inquires why the debt was not paid, whether an answer verified by the candidate was interposed, and what testimony, if any, he gave in the action. If the candidate's connection with any litigation is not satisfactorily explained, it is the usual practice to send for the attorney who represented the other side and obtain his version.

Certain questions, it will be observed, are designed to open for the committee avenues of inquiry and investigation. By question No. 7 the applicant is required to give a full list of the law offices in which he has studied or been employed. Question No. 10 requires him to state the names of all employers in occupations other than the law, and question No. 12 calls for the names and addresses of the persons to which the applicant refers as to his character. In all cases in which the character of the applicant appears to be at all doubtful, inquiries are made of the persons to whom he refers and of his former employers. The extent to which the investigation is carried depends, of course, upon the particular features of each case. But any suspicious circumstance leads to a searching inquiry. If the candidate presents a long list of employers, the committee seeks information of the occasion for such frequent changes of employment. The committee closely scrutinizes the professional environment and associations of the candidate. If he has been employed or has served an apprenticeship in a law office of bad or questionable reputation, this fact counts against him, and while, of course, not necessarily discrediting his character, places a heavier burden of proof upon him and calls for searching inquiry and extra precautions.

In all cases it is recognized that there is no presumption in favor of the applicant. He has the burden of satisfying the committee of his moral qualifications. While there may be a legal presumption that all persons are of good character, it cannot properly be invoked in favor of a person seeking to exercise the

special privileges of an attorney at law. To recognize such a presumption would be almost as unwise as to substitute for a Bar examination the presumption that all persons know the law.

It is often desirable that a committee on character have at its call the assistance of certain other committees that will conduct investigations and submit reports in special cases. If, for example, a considerable number of candidates receive their training at a certain institution, a committee appointed by the faculty or alumni, to which can be referred inquiries concerning the former students of that institution, may be of valuable assistance. In the City of New York, Columbia University and the New York University Law School maintain such committees, and their services are frequently bespoken. A committee of the New York County Lawyers Association, upon request, also conducts investigations concerning candidates generally and submits reports of the facts ascertained.

Our committee also utilizes extensively the services of a special officer of the Appellate Division, who is assigned by the Court to this work. This officer, under the direction of the committee, locates witnesses whom it wishes to examine, and ascertains facts which it deems material in passing upon the moral qualifications of candidates. The committee has power to compel the attendance of witnesses before it, and no committee on character should be without that power.

A complaint is sometimes preferred against a candidate by an attorney or other person who knows of his pending application for admission to the Bar. One of the purposes of the published notice, which has been mentioned, is to apprise the profession and the public generally of the pending applications of candidates, so that anyone having knowledge of reasons why any candidate should be investigated or rejected may furnish the committee with the facts. Whenever a moral delinquency on the part of the candidate has been brought to the attention of the Committee, a thorough investigation is conducted.

The rule requiring that the committee be satisfied of the good moral character of the applicant is in no measure relaxed in the case of attorneys applying for admission on the ground of prior practice in sister states, as permitted by our rules. Affidavits as to good character must be furnished, and in addition the com-

mittee usually addresses inquiries to attorneys of prominence in the state or city from which the applicant comes.

The investigations which have so far been described are properly termed preliminary. At a subsequent time the entire class of applicants is required to attend before the Committee on Character, assembled in its rooms in the Appellate Division Building. Of course, investigations and inquiries cannot be postponed until that time. The endeavor of the committee is to gather such information and make such investigations as it believes to be needful, prior to the meeting of the committee when the qualifications of candidates are finally passed upon. Manifestly this work could not be deferred until the committee assembles for the final meeting. By examining and correcting the papers of applicants and by making investigations of all doubtful cases in advance, the committee is able to know about what its labors at the final meeting will be. By this means probably a majority of the candidates, prior to that meeting, stand practically approved; others, perhaps, are in a more doubtful category and must be subjected to close examination upon appearing before the committee, while others, against whom charges have been made, must be tried upon the charges.

Applicants are advised by publication as to the day on which they are required to appear before the committee at the final meeting.

At this meeting the applicants are called before the committee, one at a time, in the order in which their names, according to alphabetical arrangement, appear, and questions bearing upon their qualifications are asked by the various members of the committee. A vote of the committee is taken on each applicant, and, of course, the majority controls.

In cases in which serious questions have arisen as to the applicant's moral character, witnesses are examined for and against the applicant, and he has the privilege of being represented by counsel. A person making charges against an applicant may also be represented by counsel. A hearing with all the formalities of a trial is had, and a decision reached as to the guilt or innocence of the applicant, by the committee sitting as triers of the facts. If actual wrongdoing on the part of the applicant be established, the nature of the offense together with any circumstances

in extenuation will determine whether the admission of the applicant will only be deferred during a period of probation, with leave to present another application to the committee at the expiration of the period, or whether admission will be unconditionally denied. Where witnesses are heard, the testimony and proceedings are taken down by a stenographer and a record made for the future reference of the committee and the courts. This meeting of the committee usually consumes more than a day and frequently two entire days.

The names of all applicants who have received the approval of the committee are so certified to the Appellate Division, and the names of those who have been rejected are also reported to that court with the reason for rejection in each instance. The findings of the committee are final and are never disturbed by the Court.

Before concluding, two thoughts occur to me which I believe should be kept prominently before the profession in all discussions of this problem :

The first is that no system or routine of procedure for ascertaining the moral qualifications of candidates can be productive of satisfactory results unless it be faithfully applied, and indeed be supplemented by earnest labors and discriminating insight of the committee on character. Any procedure that can be devised may be allowed to become a mere perfunctory usage that will promote only slightly the purposes intended to be accomplished. After all, the success of the work depends upon the committee.

The second thought is that no committee on character can adequately perform its labors except with the co-operation of the members of the legal profession. The natural inclination of the lawyer is to assist the young man in gaining admission to the Bar, and not to place an obstacle in his path. Some lawyers appear to be wholly indifferent to the character of those who may be admitted to the Bar, and, in my experience, some are even reluctant to speak when questioned as to the shortcomings of a candidate. It is hardly necessary to say that such an attitude is indefensible. The duty that every lawyer owes to his profession and to the community demands that he frankly report any facts within his knowledge detrimental to the character of a per-

son seeking admission to the Bar. Without this assistance from the members of the profession, the investigation of the character of applicants is seriously hampered.

I believe that I may venture to say that the methods which I have attempted to describe, as employed by the Committee on Character in the City of New York, have met with substantial success. Through the labors of this committee, the profession has been spared many unworthy additions, and in the opinion of the members of the committee, and I think also of our courts, the moral standards of the newer members of the profession have been elevated.

It must not be supposed that the benefits of a thorough investigation of the character of candidates for admission to the Bar can be measured by the number who are found to be unworthy and are excluded from the profession. In my opinion the benefits are vastly more far reaching. By the strict proof required of the good morals of each applicant and by the investigation conducted, every successful candidate is made to realize that he is entering an honorable profession in which an upright character is no less essential than knowledge of the law. At the very threshold of his professional life he finds himself placed on trial as to his character, and I believe that in after years the lesson thus taught will remain as a guide of his footsteps and as a restraining influence amidst the pitfalls and temptations that may beset his way.

PROCEEDINGS
OF THE
SECTION OF PATENT, TRADE-MARK AND
COPYRIGHT LAW

Salt Lake City, Utah, Monday, August 16, 1915.

The Section of Patent, Trade-Mark and Copyright Law of the American Bar Association met in the United States Circuit Court Room, at 3 P. M. Mr. Robert H. Parkinson, of Illinois, in the Chair.

The Chairman explained that the meeting had been called for this date in order to avoid conflicting with the meetings of the Association, which he desired to attend and presumed that the other members of the Section would also desire to attend.

The report of the Secretary being called for, that official stated that the report is a part of the July, 1914, number of *The American Bar Association Journal*, which has been printed and distributed to all members, and for this reason he suggested that its reading be dispensed with. This was done.

The Chairman delivered his annual address.

(The address follows these minutes, p. 779.)

The Chairman then introduced Mr. Charles E. Townsend, of San Francisco, California, who read a paper on the subject "Possibility of Rights of Discovery in Patent Litigation: Some Recent Judicial Developments."

(This paper follows these minutes, p. 796.)

The Section then devoted a short time to a general discussion of the papers submitted, both of which met with the general approval of those present. The discussion was participated in by Mr. Edward Rector, of Chicago, Mr. Benj. S. Grosscup, of Tacoma, Washington, and the Secretary.

On motion, the papers were ordered spread upon the minutes of the Section.

The next order of business being the election of officers, Mr. Rector moved that the present officers be continued for the coming year. The motion was seconded and unanimously carried.

No further business appearing, on motion, the meeting adjourned.

ERNEST W. BRADFORD, *Secretary.*
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ADDRESS OF THE CHAIRMAN.

ROBERT H. PARKINSON,
OF CHICAGO, ILLINOIS.

RECENT EXPERIMENTATION IN FEDERAL EQUITY PRACTICE.

There is no garden sufficiently fertile to justify its maintenance which may not accumulate weeds in the absence of persistent attention to their suppression, and no system of judicial procedure which may not be invaded by noxious practices and require eternal vigilance to counteract them. If either garden or system become infested with vicious growths, seasonable repression of such growths is generally more prudent than renouncement of the soil upon which they have intruded and search for other soil sterile to all intruders.

Man has not yet discovered a region luxuriant with wholesome fruitage in which nothing pernicious can thrive, or a system of administration efficient for justice and impotent for abuses.

Our federal courts have been, especially during the last score of years, criticised by exponents or pro-ponents of certain political propaganda, as insufficiently responsive to popular sentiment. Whether we accept the theory of the judicial office upon which such criticism proceeds, or reject it altogether and regard this indictment as a tribute to the courage, fidelity and integrity with which our courts have discharged their duty in administering the law, we may discern during the last decade, alike in the trend of decisions and in the rules which it has promulgated, indications that even in our Federal Supreme Court, insensibility to popular currents is relative rather than absolute; that it has not been entirely immune from the spirit of innovation so pervasive elsewhere.

The rules in equity in force prior to February, 1913, had been so long interpreted and applied that their meaning and effect was generally definitely ascertainable. They had been amended

from time to time as experience indicated the need of specific modifications or corrections, and the circumstances under which such amendments were made usually served to define their precise application as well as to assure their adaptation to conditions prevailing in this country.

In common with every system of practice that has been contrived, or that is likely to be contrived, they were not incapable of abuse through malice, ignorance or incompetence; and experience had suggested, or changed conditions required, certain amendments which would simplify or conduce to convenience, expedition or economy, or safeguard against abuse and injustice. Such requirements could have been readily met by a few brief eliminations, insertions and modifications, retaining the underlying plan of the old rules, affording, in my opinion, the most precise, simple, efficient, reliable and economical system of justly determining such controversies as generally come before our federal courts of equity that has ever been devised. But such a revision, which held fast to that which was good and made only such changes as experience had indicated to be desirable, would not have accorded with the wide spread penchant for radical change in existing institutions and systems. There has been substituted an essentially different code of rules, many of which are open to such diverse interpretations that neither lawyers nor courts can agree concerning their meaning and application; that confusion and delay are inevitable and that new abuses, obstructions and burdens, greatly exceeding the old ones are impeding and deflecting the course of justice.

The dominant concept pervading the new rules is the extension of the authority exercised by the judges into what has before been the province of the lawyers as representatives of the litigants, withdrawing from experienced counsel, who may have devoted months to familiarizing themselves with the conditions and requirements of a particular controversy, discretion concerning the manner of developing and presenting it, and appropriating that discretion in increased degree to the court, unacquainted with the special circumstances of the case as the judge must be and inexperienced in the preparation of such cases and the practical conditions incident to them as he often is. The tacit assumption is that while the most experienced counsel are liable to err concerning

the preparation and presentation of a case whose circumstances they have thoroughly investigated, appointment to the bench confers such impeccability upon those who have had little experience in the preparation of complicated equity cases and little conception of the factors which enter into their preparation, that they can, in the rush of a crowded docket, with no time for consideration and no familiarity with the elements involved, unerringly dictate the whole course of procedure.

When we consider how impossible it is for counsel having the widest experience and best qualifications, to determine, without days or weeks of careful investigation, the requirements and appropriate mode of procedure for preparing and presenting such cases as mainly occupy federal courts of equity, and how seldom occupants of the federal Bench bring to it much practical experience in the preparation of such cases—especially in all varieties of equity cases encountered there—it requires a credibility in the plenary inspiration conferred by appointment to the Bench quite as implicit as the most devout papist ever entertained concerning the infallibility conferred by election to the Holy See, to suppose that such control, hastily administered as it generally must be, superficially and unintelligently administered as it often may be, would remove more perils than it introduced or promote justice as often as it impedes or deflects it. It would be strange if the results were not in many instances freakish, subversive of the rights of litigants to have their causes suitably presented through such qualified counsel as they select and upon such competent evidence as such counsel deem essential, disturbing to the confidence which should be entertained in the administration of equity, and prolific in error.

The principal causes of complaint concerning practice under the old rules were due more to the refusal of the courts to give prompt relief against abuses, when applied to for such relief, than to defects in the rules themselves. No rules can altogether eliminate abuses. They are inevitable until all lawyers, all clients and all judges become perfect in knowledge, judgment and integrity; then all rules of court may be obsolete.

Expedition was one of the leading objects at which the new rules purported to aim; brevity in pleading another; the exclusion of incompetent evidence another; economy to litigants an-

other; all commendable objects if secured without sacrifice of what is more important, but all, in my opinion, far better attainable by proper administration of the old rules with such few and simple amendments as would have avoided most of the ills precipitated by the new. The old rules had fixed by uniform rule days the time for entering appearance and for filing pleadings. These rule days were the first Monday of each month, when the judge was expected to be accessible, either in chambers or on the Bench, to hear and dispose of such motions or other interlocutory matters as might be incident to these several stages of pending cases. The convenience to busy lawyers of having this regular concurrence on the first Monday of each month of the dates for appearing or pleading, no presumption that any judge himself in readiness to hear such motions or make such orders as might be incident thereto, and its contrast with the inconvenience introduced by the new rules, was greater than can be appreciated by any who have not been in active practice in federal courts of equity, both before and since the adoption of the new rules. Now there is no uniformity, no concurrence of dates for appearing or pleading; no presumption that any judge will be in readiness to hear interlocutory motions on the day appearances or pleadings become due. It is true that neglect of the rule day on the part of many judges (who presumably were unconscious of its significance) had already impaired one of the advantages for which it was provided, but its regular uniform occurrence on dates easily observed still contributed materially to convenience and system.

It was urged that the time allowed for appearance and pleading was unnecessarily long. If this had been so, more frequent but uniform rule days might have been substituted; but this complaint was generally due to ignorance or disregard of what has to be done by litigants and solicitors or counsel preparatory to appearance and pleading, respectively, and of the importance of having each of these steps intelligently and considerably taken. Generally a defendant served with a subpoena requiring him to appear and answer in a federal court, must consult competent counsel before he can safely do either. This is certainly true in patent suits. Ill-considered entry of appearance or answer may waive or jeopardize essential rights. He may not know

where to look for competent counsel or have any idea of the nature of the controversy thus precipitated upon him; he may be remote from the court to which he is thus summoned and from such legal advice as he needs, or so conditioned in other respects that he cannot select and consult counsel at once. If he has counsel to whom he would naturally go for legal advice, such counsel may be inaccessible at the time by reason of absence, sickness or peremptory occupation in the trial of a case. The question whether to contest or settle the case, and conferences over the terms of possible settlement, may precede the employment of counsel. If the defendant be a corporation, it may require a conference of absent officers before the course to be pursued or the counsel to be consulted can be determined. When a lawyer is selected and consulted, he may be so unacquainted with the branch of the law to which the suit pertains that he needs to call in distant counsel and conduct correspondence before determining whom to recommend and whether he is available. Then remain the questions to be settled before appearance can properly be entered—whether general or special appearance shall be made, or no appearance; whether the defendant is amenable to suit in that court; whether appearance should be entered in behalf of all the defendants, if there be more than one, or, if not, in behalf of which, and whether there shall be a common appearance for all or several special appearances for each. These are questions often requiring considerable investigation of facts involving successive correspondence and interviews with different persons and careful examination of statutes, decisions and records. Defendants cannot properly be compelled to drop everything else the moment a subpoena is served, or lawyers the moment a client comes to consult them about a new case, and devote their whole time to that case.

The time allowed for appearance under the old rules was not too long to meet the ordinary conditions thus presented and in many cases was hardly adequate. It is so shortened by the new rules as to often work great hardship and give great advantage to the chronic litigant as compared with those who aim to avoid litigation and who are not equipped for it or experienced in it.

That the time allowed by the old rules for answer was not excessive, but often inadequate, for the investigations necessary

to properly prepare an answer, cannot, I think, be seriously disputed by lawyers experienced in the preparation of such answers. It was so well recognized, and the ultimate economy in time and labor of having a complete and well-considered answer filed in the first instance, instead of resorting to subsequent amendments or including defenses which had not been thoroughly investigated, was so well understood among experienced lawyers, that the time was frequently extended by consent or by order of court.

Since the new rules took effect, able and upright judges are holding under consideration motions requiring for their disposal not one-third the time or thought needed in the preparation of an answer, for several times the period allowed for answer under the old rules. Rules that compel in substantially every case the presentation and argument of motions for time in which to prepare answer, with showing of cause, and place it within the power of a novice on the Bench whose only experience has been in filing an answer and taking proofs in simple commercial cases to arbitrarily refuse a suitable extension, perhaps with a sneer at the incapacity of those who ask for it, are burdensome, obnoxious and destructive of statutory rights. If intelligently and . considerably administered, they involve unnecessary labor for both counsel and courts and expense for clients, with no advantage in expedition. If hurriedly administered—as they are liable to be by judges under pressure to keep up with the avalanche of motions and hearing of testimony taken before the courts, thrust upon them by these rules—the effect is altogether mischievous.

Such rules encourage capricious assumption of autocratic authority to abridge statutory rights by refusing allowance of adequate time for pleading and evidence expressly provided for by statute, even by excluding such pleadings and proofs *sui sponte*. This certainly was not the intent of the rules. How far such extension of the judicial prerogative can be carried without becoming judicial usurpation, incurring and deserving impeachment, is a question upon which I shall not now enter. The right of parties to be fully heard on evidence and argument through counsel of their own choosing, before their equities are adjudged—a right once deemed sacred and inviolable, in the defense of which much treasure and blood has been expended

by past generations—was not, I think, intended to be surrendered by the provision of our constitution conferring life tenure on our federal judges. Those of us who have been much before the federal courts in various circuits, and before our Supreme Court, have recognized with admiration and gratitude the worthy conception and exemplification of judicial character, the intelligence and conscientious devotion, the respectful treatment of counsel, the solicitude to abstain from encroachments on their province and to patiently hear their client's cause as presented by them, characteristic of most of our federal judges, and keenly regret every innovation conducive to judicial arrogance or to intrusion on the rights of litigants as exercised through their counsel, whether in the preparation or argument of their cases.

The greatest peril to the permanent judicial tenure is from the abuse of the authority it confers, and the temptation to extend that authority beyond legitimate limits, or to so exercise it as to provoke distrust and resentment.

The recitals in bills or answers of what served no useful purpose, was not encouraged but discouraged by the terms of the old rules, and grew largely from the tendency of judges to sustain demurrers or technical objections wherever such recitals were omitted. It would have seemed sufficient, for instance, to allege in a bill that the invention had been made by the designated patentees and secured to them by a patent properly identified in the pleading by number, date and subject matter; continued ownership by the patentee, or the assignment to the plaintiff; and the trespass charged against the defendant; leaving the defendant to specifically plead, as required by the statute, the several defenses relied upon. Instead of this, it had been made necessary by a series of decisions of the courts, to recite a large portion of the patent statute in the bill and severally traverse these recitals in the answer before either of them suggested the real issues in controversy. The new rules have not expressly dispensed with these recitals, and are hardly more explicit than the old ones on this subject.

If when under the old rules an attorney was taking evidence plainly incompetent, or committing other abuses, the courts would have entertained a motion for such relief as it then had power to give, it would have been quite as effective as any pro-

vision of the new rules; but, when appealed to for such purposes, they generally, if not invariably, refused to intervene.

I cannot better indicate the amendments of the old rules, which seem to me to adequately meet such abuses, than to recite the modifications recommended by the committee appointed by the Circuit Court of Appeals for the Seventh Circuit, in response to the request of the Chief Justice, when the question of revising or superseding the old rules was under consideration. Having been appointed to serve as the Chicago representative on that committee, I have a copy of these suggested amendments before me. They were:

"First. To Rule 21 add the following:

"Instruments shall be pleaded according to their legal effect, and the averment of the grant of a United States patent shall be a sufficient averment of the conditions precedent to such a grant.

"Second. In Rule 25 omit reference to the state court of chancery, and make the rule uniform throughout the United States.

"Third. Modify Rule 26 by authorizing or requiring the court to rule upon exceptions without reference to a master. In most cases such reference is unnecessary, and only conduces to delay and expense.

"Fourth. Omit from Rule 32 all that follows the word *residue*. The requirement of an answer fortifying the plea tends to complicate the pleadings without commensurate advantage.

"Fifth. Add to Rule 34.

"Any issue determined upon a plea shall not be again raised in the answer, unless by special order of court reserving such right.

"Sixth. Amend Rule 66 by providing that:

"An entry stating the complainant files replication or joins issue shall have the same effect as a general replication.

"Seventh. In Rule 67, last paragraph, insert after the word *permit*, 'or order,' and add the following paragraph:

"If evidence plainly unnecessary, incompetent or irrelevant be taken, either in or out of court, or examinations be unnecessarily prolonged, or improper matter be spread upon the record, the court may tax, in addition to statutory costs, actual cost, or any part thereof, against the party or attorney guilty of such abuse; and it shall be the duty of the court during the progress of the case, upon having its attention called to such abuses by motion or petition, to make such orders as are necessary to correct or prevent them, and direct the proper taking of the testimony.

"Eighth. Amend Rules 3 and 82 to correspond to change of jurisdiction from Circuit to District Court, and to exclude send-

ing cases to masters before interlocutory decree, except upon consent of parties.

"We concur in the suggestion that bills of complaint should be abbreviated as far as may be, that formal bills of revivor should be dispensed with, and that reference to masters should be limited rather than extended. We think the present equity rules, with such simple amendments as we have suggested embody the simplest, most direct, flexible and adequate judicial system that has ever been contrived, and that it would be unwise to abandon it and undertake to substitute a radically different system by rules of court; that it would conduce neither to economy nor precision to abolish pleas or demurrers, but would have precisely the contrary effect; that while there are equity cases in which the evidence can be advantageously taken in open court, if the court has the necessary time at its command, there are many others, including a large proportion of complicated patent cases, in which this would be impracticable, and any rule compelling it would impose great hardship, largely increase the expense and delay and decrease the assurance of obtaining justice; and that the correction of abuses, as well as the right, in proper cases, to have the evidence, or any part of it, taken before the court, is adequately secured by the amendment we have suggested to Rule 67."

We protested against the abolition of pleas and demurrers, which, intelligently used, often disposed of a complicated litigation on the threshold and shielded the defendant against the disclosures and expense involved in answering when plaintiff was not entitled to require answer; against any rule which, in the absence of special cause affirmatively shown, would compel the witnesses to be produced and examined in open court when the case was reached upon the call of the docket, especially where counsel on both sides, knowing the circumstances of the case, agreed that they required or would be better served by taking the evidence in advance under the rules then in force; laid special stress upon the impracticability of such a rule in patent cases, where evidence is not localized as in some classes of cases, and may be extremely remote from the place of trial, widely scattered and much of it unknown until developed by the progress of the case; mentioned the hardship to witnesses as well as litigants and counsel of bringing them from great distances to await the contingencies of the docket and the development of the case, and the impossibility of anticipating the evidence that would be needed, either for defense or rebuttal, until the evidence to be met by it

was introduced; and suggested that the courts would be so burdened and clogged with the accumulation of unnecessary work thus imposed upon them as to be utterly unable to give to such cases the time and attention needed for their proper trial and adjudication, that in the majority of cases, such a rule would not conduce to intelligent, expeditious or economical administration of justice, but the contrary.

I have seen no reason to alter the opinion thus expressed, but much to confirm it. Wherever a powerful litigant, fully equipped, with trained lawyers and experts at its command, wishes to spring a surprise upon a competitor unaccustomed to litigation and unprepared for it, and slug it out of its rights, the new rules afford it an enormous advantage and destroy safeguards provided under the old. They occupy the time of the court with many controversies which would never require its attention under the former procedure, since in a large proportion of cases where the evidence was taken out of court, after the facts were established by proofs (the only way they ordinarily can be ascertained in a patent case), the rights of plaintiff were recognized by settlement or the bill dismissed, without coming to hearing. They make it necessary in cases that would otherwise be argued upon a record already prepared, for the court to listen to masses of evidence by which the facts are in the process of ascertainment, which would require no attention from it if the evidence had been taken as before, since neither plaintiff nor defendant can learn material facts in controversy and their pertinence or impertinence to the issues otherwise than through searching examination and cross examination of witnesses who understand or remember them differently, or who, in some instances, are drawing upon a stimulated imagination to which the subject in controversy gives wide range. When witnesses upon both sides have been thoroughly examined, and not till then, the essential facts may be so established, or the supposed facts so exploded, that each party accepts or discards them. It thus often happened that records contained hundreds or thousands of pages of testimony which had so accomplished its purpose before the hearing that counsel hardly referred to it in argument. This may not mean that a word of it had been unnecessarily taken, or could be properly omitted if all the testimony had been required

to be taken before the court, but rather that competent and worthy counsel accept facts when established, and are compelled by the nature of the case to elicit them under the tests of examination, cross-examination and rebuttal before they or their clients or opponents can know whether they are facts. The superficial criticism, that bulky records containing testimony to which counsel make little reference in argument indicate that the evidence has been wantonly extended, proceeds generally from ignorance or misconception. That there are instances where evidence is taken by incompetent or unprincipled counsel which wiser and better counsel would not have taken, or where a more thorough investigation in advance of answering might have dispensed with it, is true; but this is not peculiar to evidence taken out of court or to evidence in patent or other equity cases, and waste of time and expense due to such causes will not be excluded but enhanced by the new rules. It was quite possible under the old rules for the court, upon application of either party, to check such wanton procedures as effectually as it can under the new and with much less loss of time. The same is true of the improper turning loose of experts to discuss the law and evidence of a case instead of confining them to their proper sphere. Unnecessary expert evidence had been encouraged and almost compelled by decisions which refused to consider the simplest mechanical fact upon the argument of counsel in the absence of expert testimony concerning it, and many courts seemed to assume without, so far as I can perceive, the slightest reason, that the ordinary rules of evidence had no application to patent cases, an assumption which some practitioners, especially those with little training in the rules of evidence, were too willing to avail themselves of. That the expert evidence required for a particular case can only be properly provided after the proof of facts is in, would seem too obvious for discussion if the new rules had not assumed the contrary and provided for compelling it to be submitted by affidavit in advance of the trial by which the facts are developed.

The abolition of pleas and demurrers, depriving the litigant of the right to protect himself against answer where no case for answer is presented, and throwing him upon the discretion of the court as to whether it will consider in advance questions upon which either the obligation to answer or the nature of the answer

is dependent, or postpone all such questions to the hearing after answer is filed and proofs are taken, is, in my opinion, unscientific, destructive of valuable rights and promotive of burdensome and vexatious litigation. Instead of the right to determine on the threshold, and before answer, questions which may end the whole litigation and protect against disclosures to which plaintiff is not entitled and which may be the real object of an unjust attack by an iniquitous bill having no real equity to support it, the defendant is compelled to instantly and fully answer the bill, including in the answer such defenses as were before made by plea in bar or abatement as well as the disclosures sought.

While some questions of law may be raised by motion, there is no right to have such motion determined in advance of answer. If, in its "discretion," the court elects to hear such a motion in advance of trial (a discretion which a busy or indolent judge may be strongly inclined to exercise by deferring to the final hearing) the expense of the answer with all the inconvenience attending it has already been incurred. While a motion to dismiss may be determined in advance of the hearing, the rule is so framed as to compel the preparation of the answer in advance of such determination. The explicit provision of the rule is that in case such a motion is overruled, the answer "shall be filed within five days thereafter or a decree *pro confesso* entered." There is not even a provision that in any exigency this five days may be extended. As an answer in a patent case, and in many other cases, cannot be properly prepared in five days—often in five times five days—the investigation incident to it generally consuming many weeks and costing many hundreds of dollars, sometimes thousands of dollars—all this labor and expense must be incurred in advance even where the motion to dismiss is permitted and sustained; for so uncertain are the conclusions which a judge may reach on what seems to a lawyer a perfectly plain case that absolute conviction of the best of lawyers that a motion to dismiss is well founded does not give any assurance that it will be granted.

There is, in my opinion, nothing in the old rules half so burdensome or clumsy, or comparable with this for imposition and promotion of unnecessary expense, vexation and delay.

The rules concerning joinder of different causes of action and counterclaims, dispensing with the formalities of cross bills and

affording the defendant the same right as plaintiff to file interrogatories without resorting to a cross bill as was the practice before, while having the advantage of dispensing with unnecessary recitals of cross bills, counterbalance such advantage by the facilities they afford for multifariousness, for obstruction and delay and for insidious and mischievous inquisitions. It is difficult to conjecture what the ratio is between their merit and demerit until the conflict between courts and between lawyers concerning their significance and effect has reached a conclusion—if it ever does. Questions arising concerning their meaning and application are now, in some instances, consuming more time than the aggregate allowed by the old rules for appearing, pleading and taking evidence. If the provisions concerning interrogatories are to be as carefully and discriminatingly administered as they must be to safeguard against gross abuse, they will consume in many cases more time of the court and of counsel than was, under the old rules, consumed in the argument of a case on final hearing, and cause more delay than any interlocutory proceeding incurred under those rules. If they are not to be so administered, the facilities they afford for illicit inquisition are liable to become grievously burdensome.

Equity suits under the old limitations concerning multifariousness, especially patent suits, usually presented about as many questions as counsel can well argue or courts well digest upon a single hearing. If the effect of the new rules is to enable every conceivable cause cognizable in equity, or which may be so stated as to appear to be within equity jurisdiction, to be embraced in a single suit, so that charges of infringement under a variety of electrical, chemical and mechanical patents, charges of unfair competition, of waste of water power, of maintaining nuisances and of all the abuses of trust and various forms of trespass against which courts of equity can give relief, and all the counter charges over as broad a range which defendant may make, can be included in a single suit, defendant be compelled to fully answer (including whatever counterclaims he may either elect or be obliged by the rules to include in his answer) within the limit allowed for answer, and the court must hear the evidence concerning the multiple issues so presented and determine them all at one trial, what infinite confusion worse confounded such a trial must be! If the

burden of segregating such an intricate mass of issues into subjects for separate trial is to be cast upon the court, how much time must be consumed in interlocutory motions, discussion and investigation, before it can intelligently make the assortment! How much time is to be consumed in argument and consideration before the court can determine in each case what interrogatories a plaintiff or defendant may be compelled to answer, and how far the individual interrogated is entitled to protection against questions which seek information which he is under no obligation to furnish.

The rule relating to appeals enormously increases the labor, expense and delay of consummating an appeal, and lessens the safeguards against imposition and miscarriage of justice. It has no compensating advantage. The preparation of an abstract, which will correctly represent the effect of depositions or testimony in a patent case of any intricacy, is a task which only a trained lawyer, fully comprehending the technical distinctions, mechanism, chemical and electrical laws and processes, involved in the case, as well as the issues of fact, can properly undertake, and which may consume many weeks. It must generally involve conflict between opposing counsel. The misuse of a word or slight twist of a technical expression may essentially change the effect of a deposition on what the appellate court may consider a vital issue, and it is impossible in advance to know on what issue the case may turn in that court. Depositions which consist mainly of the recitals of counsel in their interrogatories, to which a subservient and evidently dishonest witness merely says yes or no in a way suggesting that it has been pre-arranged, and which would create only distrust and repulsion if the depositions were seen in their entirety by the Appellate Court, may in an abstract be given equal effect with the unaided narrative of a witness who testifies without assistance and in a manner carrying conviction that he both knows and impartially tells the exact facts. Anyone experienced in weighing evidence knows the need of being able to consult it in the words in which it is given if its real significance is to be ascertained. As prepared under the old rules, evidence just as taken was, in such cases as usually go up on appeal, especially in patent cases, commonly printed before the hearing below, and it cost no more to print sufficient copies

for use on appeal; then, immediately on appeal one of these records could be stipulated as the transcript for appeal (with the slight additions of opinion, decree and order allowing appeal, and assignment of error) and duplicates sufficient to conform with the rules filed in the Court of Appeals. Substantially all costs of abstract and delay in making it and of printing in the Court of Appeals were avoided, and errors incident to copying and abstracting excluded. It was a great saving of labor to counsel to have the record above a duplicate of that below, corresponding in paging and other respects. The briefs summarized this evidence and cited what was depended upon to support each proposition over which there was contest. The court had no occasion to consult any part of the record not pertinent to an issue which it considered material, and then had before it the only reliable data for determining that issue.

These new rules have been regarded as an imitation of English rules, and it is true that many of them are adopted, apparently without recognition of the differences of conditions which make them inapplicable here; but a leader of the English Bar in patent cases expressed to me his surprise that such a rule as this relating to appeal should be tolerated, saying that any court which had to consider the effect of evidence must have the exact text, in questions and answers, accessible to it; that whatever use was made of abstracts in England did not dispense with the full text being carried to the appellate court, where it was always accessible and referred to in case of dispute over the effect of evidence.

The situation in England is materially different in respect to many of the circumstances and laws by which its equity rules are governed. There are comparatively few patent cases tried there, and substantially all are tried in London, to which place practically every witness within the territory where the English patent law is operative can be brought within a few hours. The English counsel to whom I have just referred, told me at our Montreal meeting, that there had not been a patent case tried in England outside of London for ten years; that only four had been begun outside during that time and these had been transferred to London before or during the trial; and that there were only about six counsel specially engaged in trying patent cases there. Here, witnesses

needed in the same case may be scattered from Maine to California, and the need for them, or their names and probable location, may only appear as the result of examination of previous witnesses. There, the law in regard to the defenses available in patent cases differs in many material respects from ours. There provisional specifications are available as proof of anticipation, irrespective of whether any patents have issued on them; they are not dependent on prosecuting the patents to allowance, and can be filed without reference to either invention or patentability and relied upon as evidence of publication within the realm; and there is seldom any evidence taken concerning prior uses. Here, the evidence concerning prior uses is dependent on witnesses, book entries or other documents, scattered over the whole vast country; this evidence constitutes a very large proportion of the proofs upon which our patent cases must be determined, while we have nothing corresponding to the British provisional specifications to serve as a substitute for such proofs, and applications for patents which have not passed to issue are neither accessible for inspection nor have the effect of prior publications. There, the preliminary questions arising out of our federal and state constitutions which are dependent upon divisions into numerous states and divided jurisdiction, are absent.

I have passed over some features of these rules to which I intended to refer, because I must not trespass further on your patience. The rule which transfers cases brought on the wrong side of the court to the right side, instead of dismissing them, I regard as altogether salutary. If it had not the sanction of the Supreme Court, there might be some question how far such an innovation was within the province of court rules, but concerning its beneficial effect, I think there is no room for serious dispute. It has since been, in substance, embodied in an amendment to the judicial code.

In crowded courts where the trial of practically all cases upon testimony taken in open court as the cases are reached on the call of the docket is insisted upon, faithful and conscientious judges must be worked beyond the limit within which they can do their best work or long endure the strain, and are compelled to dispose of causes more hastily and with less consideration than is satisfactory either to themselves or to litigants. Judges must

be drafted from distant parts of the country; contingencies of crowded dockets where one case may occupy weeks of trial, or several cases drop out unexpectedly, oblige lawyers and witnesses, often necessarily brought from great distances, to be kept indefinitely waiting their turn, at serious inconvenience and expense. Because of the stress to which the courts are thus subjected, engagements of counsel and expert witnesses in the trial of other cases are, in some districts, being treated as no excuse for postponement; hence, in cases that are at all complicated, and in substantially all patent cases, it is necessary to have several counsel, each prepared to conduct the case if others are engaged in trials elsewhere. There is the same difficulty with experts. Only counsel and experts who have spent months on that particular case, and are exceptionally familiar with the art to which it pertains, may be able to properly serve. A rule provides for the expert who is to testify filing an affidavit containing his direct testimony within a limited time after the case is at issue (necessarily before it may be known to what state of facts his expert testimony must be addressed) and the production of the same expert for cross-examination at the trial which would generally be many months later. The expert may be then peremptorily engaged in testifying in another protracted case, or under disabilities which prevent his appearing for cross-examination, or out of the country and unable to return, or no longer living. In some circuits the hardships imposed by these rules are mitigated by liberally construing the phrase "good and exceptional cause for departing from the general rule," while others are narrowly construing it, refusing to make exceptions, and harshly enforcing the general rule, spreading the impression among litigants that their rights are little respected by courts having a permanent tenure, an impression which even where unjust, may have unfortunate consequences.

Those rules have served one timely purpose as warning of the hazards incident to radical innovations—how well-intended projects for reform may lead us far astray, how in seeking escape from lesser ills we may flee to greater ills we know not of.

Some of them have elements of real merit which should be retained; others were better relegated to the limbo of unsuccessful and abandoned experiments.

THE POSSIBILITIES OF DISCOVERY IN PATENT
LITIGATION: SOME RECENT JUDICIAL
DEVELOPMENTS.

BY

CHARLES E. TOWNSEND,
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With the advent of the new equity rules, supplemented, perhaps, by an awakened legal conscience,¹ fresh reasons are presented why we should inquire into the manner and means by which time, expense and annoyance to the courts, the Bar and the public may be saved or avoided in making proofs, and otherwise maturing cases for trial on their merits.

We must all be appreciative and in more or less degree deserving of the varied criticisms directed impartially at Bench and Bar for the delays and expense incident to litigation, and especially patent litigation. One of the chief deterrents to the bringing of rightful actions, and, conversely, the chief reliance of wilful infringers, is the practical knowledge that a patent law suit is too often a rich man's prerogative. Yet, if the Bar as a unit, would but realize that patent suits, so we have been told by a distinguished gentleman at a former meeting of this Association (A. J. Walters, K. C., September 2, 1913), have increased in England in direct proportion to the lessening of time and expense in trying cases, there might be an automatic ending of much that has given rise to criticism on the part of the public here.

Critics and reformers have sought, as a rule, for improvement in legislation, whereas the possibilities and potentialities of the laws now in force are largely sufficient for alleviation of such onerous conditions as may present themselves in practice.

As you all know, discovery has long been an invaluable aid in the administration of equitable remedies; its functions being often

¹ Supposedly we may speak of an awakened *legal* conscience, as well as of an awakened civic, or public, or national conscience. A "legal" conscience portends a recognition at least of a dormant fact rather than the invention of a new fiction.

available in aid of actions-at-law, so that the new equity rules have not so much introduced innovations as to have offered a new starting point in regard to things that have long been recognized ought to be done, but to do which had grown more and more difficult as they became shrouded in precedent linked to the past.

Whatever tends to draw forth from one party to an action in aid of the other party's cause or defense, prior to trial, may be considered in the nature of a "discovery," irrespective of the name or the particular means by which the end is attained:

1. Whether it be by the old bill of discovery in aid of an action at law

Colgate vs. Compagnie Francaise Du Telegraphe De Paris
and N. Y. 23 Fed. 82.

2. Or interrogatories in a bill or cross bill under the old chancery practice.

3. Or by motion to make a complaint more definite and certain in a law action so as to particularize the infringement.

Fischer vs. Auto. Supply Mfg. Co. Inc., 199 Fed. 191.

4. Or by motion to make a bill or answer, or both, more definite and certain under new Equity Rules 25 and 30, so as to require a plaintiff or defendant, or both, to set forth respectively the essential novelty of the patent sued on, or essential aptness of the prior art set out in an answer under Section 4920.

Coulston et al. vs. H. Franke Steel Range Co., Inc., 221 Fed. 669.

5. Or by a proceeding for discovery under new Equity Rule 58.

Bronk vs. Chas. H. Scott Co., 211 Fed. 338.

P. M. Co. vs. Ajax Rail Anchor Co., 216 Fed. 634.

Luten vs. Camp et al., 221 Fed. 424.

Blast Furnace Appliances Co. vs. Worth Bros. Co., 221 Fed. 430.

6. Or where one party is left in doubt as to the position of the other concerning the latter's *theory* of the case, by a motion of such party to have the depositions of the experts of *both* parties taken under new Equity Rule 48; assuming the validity of such a course, regarding which some doubt is entertained by text writers and the Bar.

With the exception of proceedings under new Equity Rule 48 these are all more or less in the nature of demands for additional

evidence addressed to the conscience of one or the other of the parties, and the courts have frequently said that litigants ought to have their consciences searched, for by so doing time is saved, expense is avoided, and the court is able the more readily to reach and deal with the very thing in dispute.

It is obviously desirable to ascertain the merits of a case at its outset, so far as may be practicable when this can be done with the formalities and safeguards of regular procedure, rather than to await the result of an elaborate trial; the public, as well as the immediate litigants sharing in this gain. These considerations are not limited to equity suits but are shared by actions-at-law.

Therefore, in considering the subject of "discovery" it seems proper to treat it in this broader aspect, rather than to limit it to interrogatories.

BILLS OF DISCOVERY.

The want of power in the common law courts to compel a disclosure of the truth, either through the oath of the party to the suit, or by lack of process of its own to compel the production of written evidence in the possession of an adverse party, brought forth that invention of equity known as a bill of discovery, whereby the right to demand information known only to the defendant in aid of the plaintiff's suit was permitted. By a bill of discovery a plaintiff could interrogate a defendant, but a defendant could not interrogate a plaintiff in the same suit except on the filing of a cross bill.

Bills of discovery, in patent litigation at least, are rendered practically obsolete, since there is no apparent excuse for their invocation in aid of an action at law on a patent. If the plaintiff wants discovery let him go into equity for it in the first place.*

* Since bills of discovery as historical precedents are to play an important part, no doubt in the future interpretation of the new rules it may be worth while to refer briefly to a modern and leading case on this subject.

In the case of

Colgate vs. Compagnie Francaise Du Telegraphe De Paris and
N. Y., 23 Fed. 82,

Judge Wallace clearly sets out the functions and limitations of such bills.

There defendant was a cable company operating a cable telegraph between France and the United States. The alleged infringing cable,

DISCOVERY IN LAW ACTIONS.

In focusing attention on the new equity rules and awaiting the court's interpretation of them, supported and assisted by the Bar, we are not to lose sight of the fact that patent causes are still triable as law actions; and as cases are still liable and certain to be tried as actions at law in the future, there are two recent decisions bearing on the subject of discovery that command the attention of the patent Bar and of the courts having jury cases involving patent matters coming before them.

I refer to the case of

Carpenter vs. Winn, 221 U. S. 533, 55 L. Ed. 842, under Sec. 724 U. S. Rev. Stat.,

treating on the proposition of discovery of documents and to the case of

Fischer vs. Auto. Supply Mfg. Co. Inc., 199 Fed. 191, relating to discovery of facts by a defendant on the question of infringement.

Section 724 U. S. Revised Statutes.—Until the decision of the Supreme Court in 1910 in *Carpenter vs. Winn*, 221 U. S. 844, 55 L. Ed., construing this section, parties in patent actions had frequently invoked it in aid of discovering documents and other papers in preparation for trial. Section 724 is substantially the 15th Section of the Judiciary Act of 1789 and is as follows:

including the mode and materials of its construction, were in the complete control of the defendant and while the plaintiff in the action at law had a reasonable suspicion evidently of infringement, yet when the answer came in denying infringement, the plaintiff became unable to prosecute its action without full discovery of the method of insulation of these lines of cable telegraph, for the reason that the lines were under water and not open to plaintiff's inspection. Thereupon the plaintiff filed a bill of discovery in aid of its action at law. The defendant filed a demurrer to the bill claiming, first, that the defendant as a corporation could not be compelled to make a discovery; and, second, that the discovery should be refused in view of Section 724 of the Rev. Stat.

The first ground of demurrer was overruled on the ground that while a corporation cannot be compelled to answer under oath to a bill in equity (and for that reason it was usually customary for the officers of the corporation to be made parties to the bill, and to require them to answer the interrogatories), yet that did not excuse the corporation from answering and making diligent examination so as to give in the answer all the information derived from such examination.

"In the trial of actions at law, the courts of the United States may, on motion and due notice thereof, require the parties to produce books or writings in their possession or power which contain evidence pertinent to the issue, in cases and under circumstances where they might be compelled to produce the same by the ordinary rules of proceeding in chancery. If a plaintiff fails to comply with such order, the court may, on motion, give the like judgment for the defendant as in cases of nonsuit; and if a defendant fails to comply with such order, the court may, on motion, give judgment against him by default."

The purpose of this provision is to provide a substitute for the bill of discovery in aid of a legal action. As Justice Lurton pointed out, the penalty for failing to comply with such an order as the Statute provided is exceedingly stringent, that of a nonsuit or a judgment by default.*

Justice Lurton in the *Carpenter* case pointed out that for more than a century trial courts had disagreed as to whether, under the enactment of Section 724, the procedure was limited to a requirement that the books, documents and writings be produced *at* the trial, or, in the discretion of the court, *before* the trial, for such investigation and examination as the party obtaining the order might desire. The learned justice reviewed the authorities pro and con and decided that the words "in the trial" meant *at* the trial, and not *before* the trial, or *in preparation* for trial; one reason for giving a strict construction being that the statute imposed severe penalties on a party's refusing to comply with the demand to produce: *i. e.*,

An allegation of ignorance without excuse would infer a disposition to defeat and obstruct the course of justice.

The second demurrer was overruled by reason that Section 724 of the Rev. Stat. did not apply.

Measured by our present method of procedure in equity, the cumbersomeness of such a double litigation is manifest.

* In this particular it is interesting to compare the act with the provision of new Equity Rule 58, paragraph 5, which provides that:

"The court or judge, upon motion and reasonable notice, may make all such orders as may be appropriate to enforce answers to interrogatories or to effect the inspection or production of documents in the possession of either party and containing evidence *material* to the cause of action or defense of his adversary. Any party *failing or refusing to comply with such an order shall be liable to attachment, and shall also be liable, if a plaintiff, to have his bill dismissed, and, if a defendant, to have his answer stricken out and be placed in the same situation as if he had failed to answer.*"

1. That if the papers called for are not produced he may be unable to argue against the party in producing them to the jury;
2. His object may be to obtain evidence from the contents of the papers called for; and
3. To move the court for a nonsuit or for a judgment by default as the case may be.

Another reason for so holding was that the materiality of the papers cannot be determined except *during* the trial, because it would occupy time unnecessarily and it might be very difficult to decide beforehand whether a paper was pertinent to the issue and whether it was so connected with the case that a Court of Equity would compel its production.

Justice Lurton drew a clear distinction between proceedings under the statute and proceedings to obtain a disclosure under the ordinary chancery practice, indicating that in the latter case the evidence must in the very nature of things result in production before the trial.

In holding that Sec. 724 did not take away the right of a party to a law action to a bill of discovery, nor give a broader right to a party under the statute than under a discovery proceeding in equity, Justice Lurton remarked:

"Another consideration leading to the same conclusion is found in the fact that a bill of discovery cannot be used merely for the purpose of enabling the plaintiff in such a bill to pry into the case of his adversary to learn its strength or weakness. A discovery sought upon suspicion, surmise, or vague guesses is called a 'fishing bill,' and will be dismissed. Story, Eq. Pl. Sec. 320 to 325. Such a bill must seek only evidence which is material to the support of the complainant's own case, and prying into the nature of his adversary's case will not be tolerated."

Many of the answers to questions which will arise under new Equity Rule 58 as to discoveries and interrogatories, find their answer in Justice Lurton's very interesting opinion.

By Motion to Make a Complaint More Certain.—A thoroughly practical method of discovery in patent law actions is that indicated by Judge Chatfield in

Fischer vs. Automobile Supply Mfg. Co., Inc. 199 Fed. 191.

This was a suit brought on a patent issued in 1910, seeking the recovery of damages. Defendant brought a motion, alleging

that the only articles used or sold by it were made under prior patents owned by it, one issued in 1890 and expired, and the other issued in 1905, and moved that the complaint be made more definite and certain. This motion was granted, the court holding that the defendant was entitled to know that with which it was charged so as to determine whether the information upon which its answer was to be drawn was within its own possession.

After expressly stating that neither the New York Code Sections concerning matters of evidence, nor Sec. 914 of the Rev. Stat. whereby procedure in the federal courts is to conform as near as may be to the practice in state courts, had any bearing on the proceedings undertaken by the defendant, the court held, nevertheless, that, on sound principles of good pleading, the plaintiff should be required to particularize sufficiently so that an issue could be raised, and the allegations of fact of the complaint could be definitely made out for the purpose of framing the issue.

Judge Chatfield said:

"If the plaintiff herein intends to charge that the general trade output of the defendant (viz. of articles made under the patents referred to) infringes the patent subsequently obtained by the plaintiff, or that the defendant has no right to use those patents, then he should state the acts which are alleged to be infringements, with sufficient definiteness so that the defendant may raise this issue.

"On the other hand, if he claims that the defendant has infringed by the sale of articles differing from the patents claimed, or so changed that the defendant is not protected by those patents, and is infringing the plaintiff's patent thereby, then failure on the part of the defendant to realize or to avoid the consequence of what it has been doing, or a desire to learn the extent of knowledge on the part of the plaintiff, is not sufficient reason to relieve the defendant from liability of preparing to meet the charge when presented on the trial.

"In other words, the court will not compel the plaintiff to disclose its evidence, but the motion will be granted to the extent of directing the plaintiff to make his complaint more definite and certain, as to whether the infringement is charged by the sale of articles admittedly corresponding or equivalent to the devices in the Almond and Scognamillo patents (the defendant's patents) or or whether the devices sold by the defendant are claimed to differ from those patents, and to infringe that sued upon by the plaintiff."

The plaintiff then amended his complaint and charged that the infringement was by devices other than the two prior patents of defendant. The plaintiff thereupon found himself in the awkward situation of pleading in his complaint, not only his own patent, but the two prior patents relied on by defendant, whereupon defendant entered a *demurrer* on the grounds that the patent sued on was void on the prior art set up in the complaint.

The demurrer was sustained and the patent held void for lack of invention in view of the Almond patent of 1890.

Fischer vs. Automobile Supply Mfg. Co., Inc., 201 Fed. 543; affirmed on appeal, 209 Fed. 225.

This case offers a precedent that may well be followed in other cases where a plaintiff seeks by a discreditable line of conduct to harass or embarrass a competitor by bringing suits which are no more nor less than disguised blackmail proceedings.* Such

* A third mode of discovery available undoubtedly to a defendant in a patent law action in special cases is by a bill of particulars.

To quote Vice-Chancellor Bacon in *Saunders vs. Jones*, 7 Chancery Division, 435:

"The notorious practice that the *defendant* has a right to require particulars on demand is only an instance of the principle of discovery as it exists in common law, it being in its essence the same principle as that which has prevailed in the Court of Equity."

A bill of particulars might seemingly be proper in a patent suit at law to compel a plaintiff specifically to set out in his complaint the particular measure of damages which he intends to rely on.

"The damages incurred by the plaintiff on account of a defendant's infringement must be stated specially, because no particular damage necessarily arises from infringements of patents, and therefore none is implied by the law. The special damages to be alleged in any particular case depend upon the circumstances of that case; depend upon the particular criterion of damages upon which the plaintiff relies. A special statement is required by the substantial principles of pleading as well as by its technical rules. Without it the defendant would not be apprised of all the issues of the case. He would not know till the day of trial whether the plaintiff would prove an established royalty or would prove loss or reduction of his sales, or would prove reduction of his prices, as the criterion of his damages. The defendant would therefore have to go to court provided with witnesses on all these points, or would have to trust his sagacity and guess which of these points he would be called upon to meet. It was to prevent such inconveniences that written pleadings were originally designed; and for the same purpose, among others, they are still retained in actions in court."

Walker, Sec. 436.

In directing interrogatories in some of the recent cases under our new equity rules, there has been an apparent attempt to apply by

suits, wilfully brought, accompanied by threats against the trade, dealing with or seeking to deal with defendants, too often have and are intended to have the effect of paralyzing what is in fact the legitimate business of a defendant. The plaintiff knows the mere assertion of the claim of right on his part is equivalent in its effect upon the trade to an adjudicated monopoly. As a consequence, the public refuses to incur any risk by dealing with the defendant, or to become involved in litigation unless eminently indemnified in such an amount as to render the business of a defendant unprofitable, thereby securing to the plaintiff all the benefits of a decree in its favor. The result is that the defendant's property is seriously impaired or even destroyed, particularly if the suit is allowed to continue for any length of time following the actual filing of the complaint or bill. The benefits of such an action as the defendant was able to take in the Fischer case is especially apparent where he may be making several styles or

analogy the rules that pertain in common law actions for damages, libel, blacklist, boycott, etc., and to obtain in patent cases the benefit derived by bills of particulars in the analogous cases relied on.

Thus, in a leading case:

Patterson vs. Corn Exchange of Buffalo et al., 197 Fed., 686, in which the bill charged unlawful combination and conspiracy of defendants to injure plaintiff's business and reputation, the court said that the defendants were "entitled to be informed in what manner they wickedly and maliciously combined and confederated together to the plaintiff's injury; and while the evidence need not be set out with minuteness as to the details of the alleged conspiracy, nor its disclosure required of the names of witnesses upon whom plaintiff relies, still such particulars relating to the unlawful combination must be imparted as will enable the defendants to meet, controvert, or explain them if possible at the trial. Applications of this character are usually granted on the ground that a bill of particulars tends to define the issue more clearly than does the complaint, and not infrequently tends to expedite the trial and to promote the ends of justice. It is thought that the defendants cannot be prepared to meet the charges contained in the complaint without being furnished with the information sought. To require the plaintiff to state the nature of the conspiracy, the acts relating to a boycott, together with the names of any defendant or defendants who refused to sell him grain or grain products, the names of those from whom he attempted to buy, and a list of his subsequent purchases from others at a loss, is not to require a disclosure of such evidence prior to the trial as is apt to result in his prejudice.

lines of the same article each under a separate patent, or even unpatented, and where the infringement may involve at best only one of the more unimportant articles. Where a suit of that sort is brought and the plaintiff advertises the fact, the injury to the defendant extends to his complete line, although his principal seller may not be within the patent sued on at all.

It may be that Judge Chatfield's action will not be generally followed in like circumstances by other courts. For example, Judge Van Fleet in a recent case in the Ninth Circuit.

Pacific Wall Bed Mfg. Co. *vs.* Marshall & Stearns Co.

At Law No. 15,812, unreported,

and since dismissed, declined to follow the Fischer case although the facts were alike in both cases.

Judge Van Fleet's ruling was from the Bench, and no doubt resulted from the hurried and imperfect presentation of the matter and the failure to bring out the real meaning and bearing

"But, in the absence of a demand for special damages, I do not think that the plaintiff should be required to particularize his claim for actual and punitive damages."

The last paragraph above is particularly pertinent to pleading in law actions for damages for infringement.

No doubt any ambiguity or omission in a complaint, or too wide generalization whereby a defendant might be taken by surprise, a court would naturally give relief. For instance, it is seemingly true that if a bill of complaint alleged a conjoint use of several inventions either by plaintiff or defendant, the party who is left in doubt by the pleading might inquire as to further particulars. If a number of defendants were charged with malicious or wilfully combining and confederating together to a plaintiff's injury, no doubt the defendant would be entitled to be informed how and in what manner they had so done.

English Rules 13 and 16 of Order LIIIa provide:

"13. In an action for infringement of a patent the plaintiff must deliver with his statement of claim particulars of the breaches relied upon.

"16. Particulars of breaches shall specify which of the claims in the specification of the patent sued upon are alleged to be infringed and shall give at least one instance of each type of infringement of which complaint is made."

A greater degree of precision is required in the particulars of breaches where the defendant is the vendor than where he is a manufacturer, and in one case plaintiff was required to specify certain infringing garments to their trade known as "The Champion" and "The Distingue."

Mandleberg *vs.* Morley (1893, 10 R. P. C. 260).

of Judge Chatfield's decision, and the ground on which it rested, coupled with the novelty of the proposition as compared with the usual processes followed in actions at law. Unquestionably where a defendant has a perfectly good excuse to the charge of infringement he should, if possible, be accorded an equal opportunity for a speedy dismissal of the action at law, as he is accorded in equity under the new rules.⁶

⁶From the foregoing cases we deduce that proceedings by way of discovery in actions at law in patent matters are still available in the following matters:

1. By bill of discovery in aid of an action at law for the production of books and writing; bills of discovery being available alike to plaintiffs and defendants.

Carpenter *vs.* Winn, 221 U. S. 533, 55 L. Ed. 842.

Guyot *vs.* Hilton *et al.*, 32 Fed. 743.

Wilson *vs.* New England Nav. Co., 197 Fed. 88 (N. Y.).

2. By a bill of discovery in aid of an action at law for the propounding of interrogatories.

3. By a bill of discovery in aid of an action at law for an inspection of an alleged infringing machine maintained in secrecy by the defendant.

Colgate *vs.* Compagnie Francais Du Telegraphe, 23 Fed. 84.

4. By a bill of particulars.

5. By a *subpoena duces tecum* in aid of an action at law to produce documents and writings, including pending applications in and correspondence with the Patent Office.

Edison Elec. Light Co. *vs.* U. S. Elec. Lighting Co., 44 Fed. 294.

6. By motion of a defendant to make the declaration more definite and certain, so as to inform a defendant whether the information upon which its answer is to be drawn is within its own possession.

Fischer *vs.* Auto. Supply Mfg. Co., Inc., 199 Fed. 191.

Some of the negative rules to be observed in attempt of discovery in an action at law.

1. In an action at law the production before trial of books and papers cannot be ordered upon motion. The party must seek relief through a bill of discovery.

Carpenter *vs.* Winn, 221 U. S. 533, 55 L. Ed. 842.

2. State laws in aid of examination of a party before trial are not available in the federal courts. All testimony unless taken *de bene esse* or by commission must be taken in the presence of the court and jury at the trial.

Colgate *vs.* Compagnie Francais Du Telegraphe, 23 Fed. 84.

Hanks Dental Co. *vs.* International Tooth Crown Co., 194 U. S. 303, 48 L. Ed. 989.

NEW EQUITY PROCEDURE.

Discovery is but one of the many phases of the new equity rules to speed the final hearing; as, for example, by Rules 54, 55 and 56, cases at issue are automatically set on the calendar, and by Rule 57 cases are automatically dismissed if allowed to lie dormant beyond the year. It were desirable that there were more automatic attachments to the rules.

The reported cases dealing with discovery under the new rules are but few, yet they indicate a studious and earnest attempt to observe their intent in a considerable degree, although Judge Orr in the Western District of Pennsylvania in the recent case of

Pittsburg Water Heater Co. *vs.* Beler Water Heater Co.,
222 Fed. 950 (1915),

said, in reference to practice under Rules 25 and 30:

"It has become apparent that solicitors in equity, and especially solicitors in patent causes, have hesitated to conform to the provisions of those rules."

The cases so far reported, coming to the writer's attention are the following:

Bronk *vs.* Chas. H. Scott Co., 211 Fed. 338.

P. M. Co. *vs.* Ajax Rail Anchor Co., 216 Fed. 634.

* E. N. Rowell Co. *vs.* William Koehl Co., 194 Fed. 416.

3. Likewise state laws enabling the production of books and papers in aid of examination are not available before trial.

Carpenter *vs.* Winn, 221 U. S. 533, 55 L. Ed. 842.

Wilson *vs.* New England Nav. Co., 197 Fed. 88, and cases cited.

4. Section 724, U. S. Revised Statutes does not cover the examination of books and papers *before* trial, but permits such examination to be made only *in* the trial.

Carpenter *vs.* Winn, 221 U. S. 533, 55 L. Ed. 842.

5. Neither can a defendant have an examination of the device which the plaintiff may rely upon as constituting the infringement by virtue of any state laws permitting inspection for the purpose of preparation of trial. That would be in the nature of an attempt to learn what the plaintiff's evidence of infringement against it may be.

Fischer *vs.* Auto. Supply Mfg. Co., Inc., 199 Fed. 191.

Carpenter *vs.* Winn, 221 U. S. 533, 55 L. Ed. 842.

Wilson *vs.* New England Navigation Co., 197 Fed. 88.

Cheatham Elec. Switching Device Co. *vs.* Transit Development Co., 190 Fed. 202.

* This case, though decided before the promulgation of the new rules, is directly pertinent to Rule 58 concerning the right of "Inspection."

Todd *et al. vs.* Whitaker, 217 Fed. 319.

Luten *vs.* Camp *et al.*, 221 Fed. 424.

Blast Furnace Appliances Co. *vs.* Worth Bros. Co., 221 Fed. 430.

Coulston *et al. vs.* H. Franke Steel Range Co. Inc., 221 Fed. 669.

Pittsburg Water Heater Co. *vs.* Beler Water Heater Co., 222 Fed. 950.

What we may assume to be the spirit of the new rules, is well expressed by Judge Baker of the Circuit Court of Appeals for the 7th Circuit in Bronk *vs.* Chas. H. Scott Co., 211 Fed. 338, as being—"To enable the court to make a summary disposition of a cause by applying the law to an admitted state of facts."

Bronk *vs.* Chas. H. Scott Co., 211 Fed. 338.

This case seems to be the first one reported dealing directly with discovery by interrogatories under the new rules, and the action taken there was so revolutionary as to constitute a monument in patent practice. Although Judge Baker treated but meagerly the question of interrogatories, the case involved a clever tactical move on the part of the defendant in combining an unusual answer with a subsequent set of interrogatories based on the answer.

The patent concerned a simple garment or apron, with one claim, and the bill charged infringement in the usual mode."

The answer set out that the patentee had sought during the pendency of the application in the Patent Office to overcome the prior art by limiting the claim of the patent to the exact details described and shown; that no invention was required to devise the patented article; and that the only devices the defendant had ever made or sold were represented by actual specimens which were

'The claim was as follows:

"A protector, comprising a permeable yoke portion *provided with a median seam and having its upper portion contracted and folded into downwardly and laterally-extending tapering plaits or folds on each of said median line*, and an impermeable portion comprising a single ply of material depending from said yoke portion, said yoke portion being provided about its upper edges with a waistband and said shield portion being provided with attaching-tabs near the depending end thereof."

(The portion of the claim italicized was absent in defendant's structures.)

filed with and made a part of the answer; and that there was no infringement.

Thereupon the defendant, under Equity Rule 58, filed interrogatories to be answered by the patentee, plaintiff, inquiring whether the charge of infringement was based on any of the exhibited specimens of defendant, or on some other or different articles. The patentee answered the interrogatories by saying that she had no other basis for her charge of infringement. The defendant then moved to dismiss the bill on the ground that the plaintiff's answer to the interrogatories disclosed that there was no infringement, and on the further ground that in view of the file wrapper and prior patents, *certified copies of which were filed with the motion*, the patent was void for lack of invention.

On appeal from a decree granting the motion and dismissing the bill, Judge Baker pointed out that the file wrapper and patents could not be considered on the motion, because the motion must be considered like a demurrer and only those things appearing on the face of the bill and things properly before the court in the answer, or facts admitted by appellant, plaintiff below, could be regarded. The validity of the patent must be conceded and the only question was its construction with respect to infringement.

Continuing the court said:

"Applying this rule to the admitted facts, we have no difficulty in sustaining the decree. The description of the yoke portion of appellant's patented article shows tapering plaits which have the effect of giving the surface of the yoke a spheroidal form. And the claims makes this an indispensable characteristic of the yoke portion. So it is immaterial what, if any, disclaimers appellant was compelled to make during the prosecution of her application through the Patent Office, or what were the teachings and disclosures of the prior art. If it were admitted that appellant was the absolute pioneer in protectors of this character, and was in fact the first inventor of plane as well as spheroidal shapes, still it is the province of courts only to construe claims, not to reconstruct them. And it would require an entire reconstruction of the claim to eliminate what appellant has made an essential element, namely, the spheroidal form of the yoke portion; and inasmuch as appellant admits that appellee has never made or sold protectors except those in which all of the parts have plane surfaces, no testimony with respect to the utility, novelty and commercial success of appellant's article, and no exposition of

the prior art by experts, could alter the result, which is non-infringement."

The rule there invoked and followed is a salutary one and it is designed to accomplish in equity cases exactly what was accomplished by the defendant in the case of

Fischer vs. Auto. Supply Mfg. Co., Inc., 199 Fed. 191, already commented upon. In other words, the Bronk case, like the Fischer case, gives the defendant who is illegally and unfairly attacked by a patent, which common sense ought to show is not infringed, an opportunity to come directly into court, lay his infringing device before the judge and ask for a comparison and decision *instantly*. If the defendant has not a good case, or if the question of infringement is one of honest difference of opinion, then the plaintiff ought not to be deprived of the right to have a fair opportunity to lay before the court just what his invention really was and to show by experts, and others, if necessary, the real meaning of the invention.

Luten vs. Camp et al., 221 Fed. 424.

I refer to this case next because it has done most to define the meaning of Rule 58.

Under the prior Equity Rules 40, 41, 42 and 43, where it was desired to interrogate a defendant, especially upon any part of the bill to obtain a discovery, interrogatories were filed with and

* While the claim says nothing about the "spheroidal form of the yoke portion," it refers to the "tapering plaits," etc.; but the defendant's plain protector omitted the "tapering plaits" which were an essential part of the claim, so that therefore the court was correct in maintaining that there was an element of the claim omitted in the defendant's structure. Otherwise, if the court were to be taken literally as hanging its decision on the "spheroidal form" of the plaintiff's yoke, and the plain form of the defendant, it would contravene the long established practice of our courts in support of the rule that in patents entitled at all to the doctrine of equivalents: "Mere change in form, proportion or degree" does not avoid infringement, unless form was of the essence of the invention. The adoption of any such doctrine would enable a defendant to pirate a patented invention, changing its form so as not to read upon the patented claims, and then proceed forthwith to infringe, invite suit, and diagnose its own case by asking interrogatories, as done in the Bronk case.

Defendant's difficulty with the file wrapper might possibly have been overcome by pleading and proffering it in the answer, the same as he brought his own devices in.

made part of the bill. The defendants in the Luten case sought to invoke the practice under the old rules (that an answer to a bill unless sworn to was not evidence in defendant's favor and that where an answer under oath had been waived in the bill, the answers to interrogatories in the bill need not be answered under oath and therefore such answers were not evidence,

Tillinghast vs. Chance, 121 Fed. 435.

Excelsior Wooden Pipe Co. vs. City of Seattle, 117 Fed. 140, 55 C. C. A. 156.

McFarland vs. Bank (C. C.) 132 Fed. 399.

Callahan vs. Holland-Cook Mfg. Co. (D. C.) 201 Fed. 607),

and be relieved from answering the interrogatories under Rule 58; but defendants were required to answer the interrogatories except as they may involve evidence and other facts not proper to be inquired into.

In *Luten vs. Camp et al.* Judge Thompson indicates how, under new Equity Rule 58, substantial and radical changes have been effected in the practice as regards "discovery" and the filing of interrogatories, among which he enumerates the following:

1. The privilege of discovery has been extended to defendant.
2. Interrogatories filed by the plaintiff are not made a part of the bill of complaint.
3. Interrogatories filed by the defendant and defendant's answer to plaintiff's interrogatories are not made a part of the answer to the bill.
4. Interrogatories are not pleadings.
5. Plaintiff may file interrogatories for discovery after issue.

Under the old practice the plaintiff alone could interrogate. He, therefore, had an advantage not accorded defendant. The latter, if he desired discovery was compelled to resort to his cross bill. New Equity Rule 58 thus equalizes the position of the parties.*

* And more recently Judge Orr in the *Pittsburg Heater* case, 222 Fed. 950, 952, has observed:

"The answer no longer appears to be the expression of the results of searching the conscience of the defendant. The method pointed out in Rule 58 (198 Fed. XXXIV, 115 C. C. A. XXXIV) for procuring discovery by means of interrogatories is now the method of searching the conscience of the opposite party. That rule provides that the

INTERROGATORIES AND ANSWERS AS EVIDENCE.

The answers to interrogatories under the new practice are quite distinct, and of inherent different quality, from those evinced under the old chancery practice. Under the old practice, the party filing the petition for discovery was not bound to read the answer but may prove his demand by any other testimony; it being within the discretion of the party calling for it whether he will use it or not; but if he offers a portion of it he makes the whole of it evidence.

Dawson Town & Gas Co. vs. Woodhull, 67 Fed. 451. Presumptively, answers to interrogatories are to be considered as evidence because they are not pleadings.

Contrast with the practice in admiralty.*

The extension of the privilege of interrogatories to a defendant is not only one of the most important innovations of the new rules, but it is the one that has been most recently invoked by defendants, showing that this right, so long withheld in American practice, was something much needed and the results of the rule in this respect are working out with marked satisfaction. It is true that under the old equity practice and the practice under bills of discovery a defendant could, by the filing of a cross bill, attach interrogatories thereto addressed to the plaintiff; but we

answers to the interrogatories shall be in writing under oath and signed by the party. It seems, therefore, a proper inference from the provisions of the Equity Rules with respect to oaths to portions of the record other than the answer, and the omission of the requirement of an oath to answer, that an answer in equity need not now be made under oath."

* *The Serapis*, 37 Fed. 436, Judge Brown said:

..... "answers to interrogatories propounded at the close of the pleading, under Admiralty Rules 23 and 27, are not strictly evidence in the cause, in any different sense than that in which the pleadings are evidence. *Andrews vs. Wall*, 3 How. 568. Though sworn to, they are not a 'deposition' for which costs can be taxed under Rev. Stat. Sec. 824. Such answers to interrogatories are designed rather as compulsory simplifications of the pleadings on the specific subjects propounded in the interrogatories, so as to dispense with the taking of proofs, or evidence proper, on the facts that may be admitted. When the interrogatories are propounded by the libel, the replies usually make part of the answer itself. *Dunl. Adm. Pr.* 201. It is immaterial whether they are answered as a part of a pleading or separately. As evidence, they stand like the pleadings only. They are parts of the record, and may, like the pleadings, be referred to by either party. What is admitted needs no further proof; but as respects matters which still remain at issue, such answers are not affirmative proof in favor of the party making them. *Williams & B. Adm. Prac.* (2d Ed.) 410."

can readily conceive of the complexity of a former patent action at law where the plaintiff had first to bring his suit at law. Then for a discovery of material evidence in the possession of the defendant, he was required to file a bill of discovery in chancery. If the defendant wanted to interrogate as to matters material to his defense and only within the knowledge of the plaintiff, he could only do so by a cross bill or by an original bill of discovery of his own.

Under the English practice (Order XXXI, Rule I) either party by leave of court may submit interrogatories for answer, but interrogatories for the examination of a plaintiff in England are on a different footing from those for the examination of a defendant, in this respect: That a plaintiff is not entitled to discovery of the defendant's case, but a defendant may ask any questions tending to destroy the plaintiff's case.²²

This distinction between the rights of plaintiff and defendant to interrogate, or the nature of the right of interrogation does not appear to exist under our new American practice, for both seem to be on an equal footing.

Rule 58 provides that the inquiry must be directed only to "facts and documents material to the support or defense of the cause"; or—"documents in the possession of either party and containing evidence material to the cause of action or defense of his adversary." These words have already given rise to a difference of opinion.

²² *Hoffman vs. Hosthill*, L. R. 4 Ch. 673.

In that case the defendant, in order to prove that there was no novelty in the plaintiff's patent, interrogated the plaintiff as to the inventions described in various patents and asked him to show in what respects they differed from his. Plaintiff declined to answer the interrogatories on the grounds that the questions were not questions of fact and related to the plaintiff's case, but he was ordered to answer. In fact, a defendant "has a right to ask all questions which are fairly calculated to show that the patent is not a good patent or that what he alleges to be an infringement is not an infringement."

In another case:

Ryland vs. Ashleys Patent Model Co., 1890, 7 R. P. C., 175, the defendant pleaded that the invention patented was not useful and administered an interrogatory asking whether it had not been found necessary to use some modifications in the process described in the patent, and inquired as to what those modifications were. This interrogatory was allowed.

In the case of

P. M. Co. vs. Ajax Rail Anchor Co., 216 Fed. 634, the distinction between matters material and matters evidentiary was considered. There the defendant submitted nine interrogatories. The first inquired upon which of the five claims of the patent plaintiff relied. The second, third and fourth sought to have the plaintiff indicate in defendant's device certain elements described in the plaintiff's patent, and also to have the plaintiff define the phrase—"other edge of the rail"—occurring in the claims. The fifth interrogatory inquired whether the plaintiff had manufactured under its patent and to what extent, and the production of a sample, or a cut, or a drawing.

The other interrogatories were directed to matters wholly irrelevant to the suit, involving the plaintiff's intention as to the possible bringing of other suits against defendant, on patents not before the court.

The only interrogatory that the plaintiff was required to answer was the first one specifying which of the claims of the patent the plaintiff was going to rely upon.

The more interesting of the interrogatories denied by Judge Sanborn, was that relating to the demand of the plaintiff to pick out the elements in the defendant's device corresponding to the elements of the patent, and to construe or define certain phraseology used in the claim in reference to its meaning when attempted to be read on the defendant's device.

The court quite properly held these inquiries related to matters purely evidentiary and to "evidence of circumstances or of facts tending to prove some contention of defendant."

In referring to the English cases on the subject, Judge Sanborn gave expression to the following, which has caused considerable discussion both as to its meaning and to its correctness, by members of the Bar.

"The nature of the case and the facts supporting it may be required to be stated. Mere evidence or facts tending to prove the nature of the case or the facts upon which it is based are quite generally held to be not properly inquired into."

Marriott vs. Chamberlain, 17 Q. B. D. 154.

Hooton vs. Dalby, 1907, 2 K. C. 18."

"The two English cases cited by Judge Sanborn are not equity cases, the one being an action for libel and the other for damages.

In the later case of

Luten *vs.* Camp *et al.*, 221 Fed. 424-8.

Judge Thompson, after quoting the above paragraph from Judge Sanborn says:

"As I construe the last sentence cited above of Judge Sanborn's opinion, it means that it is not proper to inquire into mere evidence or facts tending to prove the nature of the case, *or facts tending to prove the facts* upon which it is based, not that it is not proper to inquire into the facts upon which the case is based."

Therefore, taking this construction of the rule, Judge Thompson, in the Luten case, found that it was proper for the plaintiff to interrogate the defendant as to its connection with certain blue-prints and contracts, for the purpose of showing what was defendant's connection therewith, even, although, it would be impracticable at this time to pass upon the relevency or materiality of the questions relating to defendant's connection with the

In *Marriott vs. Chamberlain*, 17 Q. B. D. 154, three concurring opinions were filed, Lord Esher recognizing that defendant has a right to interrogate as to the substantial portion of material facts set up by plaintiff and the existence or nonexistence of other facts relevant thereto. Justice Bowen held that even the name of a witness would have to be disclosed if it were a relevant fact in the case independent of the position as witness.

The court said:

"The right to interrogate is not confined to the facts directly in issue, but extends to any facts the existence or non-existence of which is relevant to the existence or non-existence of the facts directly in issue.

... "Although one party cannot compel the other to disclose the names of his witnesses as such, yet if the name of the person is a relevant fact in the case the right that would otherwise exist to inform with regard to such fact is not disposed by the assertion that such information involves the disclosure of the name of a witness."

In *Hooton vs. Dalby*, 2 K. B. 18, the concurring opinion filed by Justice Bukley recognizes the ruling of Lord Esher above and the right of plaintiff to interrogate the defendant as to facts to support the plaintiff's case or impeach the defendants, but not to support defendant's case.

Justice Bukley said.

"The plaintiff is entitled to interrogate the defendant as to facts which tend to support the plaintiff's case or to impeach the defendant's case, but not as to *facts which support the defendant's case.*"

In *Saunders vs. Jones*, 7 Chancery Division 435, where the plaintiff claimed he had been wrongfully dismissed and the defendant justified the dismissal by general acts of misconduct, whereupon plaintiff filed interrogatories directed to the defendant to specify the acts of misconduct. Vice-Chancellor Bacon, in disposing of the case, said:

blue-prints and contract. The matter of infringement could only be determined at the trial. The materiality and relevancy of the contract and blue-prints depended upon the plaintiff establishing, first, that the blue-prints infringed; and second, that they were produced by or under the direction of the defendants leading up to the contract.

Also in the Luten case the plaintiff was denied the right to require a comparison between certain blue-prints inquired about and another set of blue-prints attached to the interrogatories, since such comparison was a matter to be established by expert testimony, or by inspection of the documents at the trial, and the opinion of the defendants would be merely evidentiary in character, and not a fact in support of the plaintiff's cause.

While the interrogatories were directed apparently in search of evidence to prove *infringement* they would point to a similar holding possibly where it was attempted to prove a *sale*.

... "if the defendant will tell him what he *means by the other acts of gross misconduct*, what is the *meaning of the charge* that he has received from *various persons commissions*, then he knows what he is about and he comes into court at the hearing with the means of meeting the case or not, as it may be."

Further view of the English practice is seen in the following cases:

Delta Metal Co. *vs.* Maxim-Nordenfelt Guns and Ammunition Co., 8 R. P. C. 169,

where it was held that interrogatories must be limited to facts, and an interrogating party is entitled only to such answers as will enable him to establish his case, and he is not entitled to administer interrogatories which inquire into the opposite party's evidence.

Bidder *vs.* Bridges, L. R. 29, Ch. D. 29, 34,

in which case it was held that the court will not compel a party to discover facts beyond what is necessary to enable his opponent to prove his case.

Bovill *vs.* Smith, L. R. 2, Eq., 459.

Daw *vs.* Eley, 2 H. & M. 725.

Judge Baker in the case of Indianapolis Gas Company *vs.* City of Indianapolis, 90 Fed. 196, arising under the old practice, said:

"Every plaintiff is entitled to a discovery from the defendant of the matters charged in the bill, provided they are necessary to *ascertain facts material to the merits of his case* and to enable him to obtain a decree. The plaintiff may require this discovery either because he cannot prove the facts, or in aid of proof, and to avoid expense. Mitf. & T. Pl. & Prac., pp. 393, 394. It would therefore seem to be clear that the complainant, in its original bill, if it had chosen to do so, might have propounded interrogatories to the city for the purpose of obtaining the *admission of such facts as would have tended to support the allegations contained in its bill.*"

Another case decided by Judge Thompson simultaneously with the Luten case was that of

Blast Furnace Appliances Co. *vs.* Worth Bros. Co., 221 Fed. 430 (March 17, 1915).

The assistance afforded the court by the learned counsel in this case and in the Luten case has done much to define the meaning of the purpose of discovery practiced under the new rules. In the blast furnace case the court in brief decided:

1. That matters disclosed in the answer material to the plaintiff's case may be made the subject of interrogatories.

2. That the defendant, having attached to its answer a copy of a contract for furnishing drawings in which there was an agreement to issue a license, the plaintiff was entitled to know whether the license was in writing, or oral, and whether the license was for the use of the patent sued on.

3. That as the defendant claimed a set-off in its answer, plaintiff was intitled to interrogate as to the dates and amounts of payments constituting the set-off.

4. That the plaintiff was entitled to have the defendant furnish drawings for plaintiff's inspection of certain constructions in question as being material to the charge of infringement.

5. That the defendant answer when it began the construction of a certain device as material to the fixing of the time of the alleged infringement.

6. That the defendant answer whether a certain license was in writing or not, in order that the plaintiff may call for its production.

INSPECTION.

The Luten case is further interesting in holding that while a plaintiff was not entitled by interrogatories to copies of, or inquiries concerning the contents of certain blue-prints, nevertheless he was entitled, on a proper showing, to have an order made for their production and inspection; the blue-prints being the best evidence of their contents.

The case of

Todd *et al.* *vs.* Whitaker, 217 Fed. 319, arising before Judge Dickenson in Pennsylvania, was cited by Judge Thompson in the Luten case and held to the same effect, that while a party was entitled to inspect a document or thing

on the propounding of interrogatories, they were not entitled to copies of the same before trial.

In the *Todd* case the plaintiff sought, by a motion for particulars to require the defendant to disclose the particulars of the prior uses relied upon; the plaintiff evidently relying on the common law rule, that when a pleading sets forth facts constituting the essential elements of a cause of action, while not demurrable, is so general as to afford opportunity for surprise when the proof is taken that a bill of particulars may be resorted to to secure the requisite certainty."

Singers-Bigger vs. Young, 166 Fed. 82, C. C. A., 8th Circ.
Rinker vs. United States, 151 Fed. 755.

Patterson vs. Corn Exchange of Buffalo et al., 197 Fed. 686.

It would seem apparent that the plaintiff there mistook his remedy. The defendants had set up prior user under Sec. 4920,

"In *Todd vs. Whitaker*, 217 Fed. 319, the court overruled the obviously improper interrogatory of the defendant as to when the plaintiff conceived the invention of the patent in suit. That was purely evidentiary matter, and in no sense essential to defendant's defense.

In the *Todd* case plaintiff argued that as the new equity rules are largely based upon the English Chancery Rules, and that in England the practice requires what plaintiff is now seeking, that the English rule should prevail; plaintiff reading from an address by A. J. Walter, K. C., page 793, Report of the American Bar Association, 1913.

In reply it was pointed out that in England there is a special set of rules applicable to patent cases exclusively, and one of these special rules provides specifically for the furnishing of drawings or similar description of alleged prior devices to be relied upon; that we have no such special rule here and as our equity rules are largely based on English rules, the failure to include a special rule of this kind argued against plaintiff rather than for him; and that the very existence of the special rule was a strong indication that the general Chancery Rules were not regarded as forming a foundation for the practice else the special rule would have been unnecessary.

For the defendant it was further pointed out that the purpose of the bill of particulars is not to disclose the specific evidence nor to furnish facts which are equally accessible to both parties, 3 Ency. Pl. Pr. 520, 529; and that neither should the bill of particulars be made an instrument of injustice by increasing the burden of expense already upon a defendant in patent cases, by requiring him to have expensive drawings made or photographs taken in the absence of a proper verified showing.

and the effect of plaintiff's motion was not only to require of defendant more than the Statute demanded of him, but was apparently an inquiry into the nature of defendant's evidence.

In *Woodbury Patent Planing Machine Co. vs. Keith* 101

U. S. 479, 25 L. Ed. 944,

the Supreme Court had held, in construing Sec. 4920, that the "true construction of the Act of Congress is that only the names of those who had invented or used the anticipating machine or improvement, and not the names of those who are to testify of its invention or use, are required to be pleaded. It was so ruled by Grier J. in *Wilton vs. R. R. Co.*, 1 Wall, Jr. 195 and by Roemer *vs. Simon*, 95 U. S. 218 (XXIV 385). This is all that is necessary to protect a patentee against surprise. If, in regard to an invention claimed to have anticipated his own, he is informed by the defendant's answer of the names and residences of the alleged inventors, or who had prior knowledge of the thing patented, and when and by whom it had been used, it is sufficient to apprise him of the defense, and so enable him to make all needful inquiries respecting it. He need not know who are to testify in regard to the invention or use; much less does he need to know who are to testify respecting the history and use of the prior invention, after the complainant's patent has been granted." (25 L. Ed. 944.)

Evidently adopting this rule in the Todd case, Judge Dickinson said:

"Where the answer sets up the existence of *some concrete thing* which may be made the subject of an *exhibit as a publication, drawing, photograph, or device* which is claimed to be an anticipation of the patented device, and which is proposed to be made the subject of expert testimony, the plaintiff may fairly ask to have it submitted in advance for the *inspection* of expert witnesses for the plaintiff. If a request for opportunity to make this inspection be denied, or if what is offered in evidence differs from what was submitted for inspection, the present rules furnish the means of preventing a plaintiff from being taken by surprise."

This case, and the Luten case, unquestionably establish the right of a party to inspection before trial and a proper way to secure such inspection is by interrogatories under the new rules."

"In England interrogatories as to prior use are permitted so far as they do not relate to evidentiary matter. In a case where a plaintiff asked whether the alleged prior use was in respect to a particular process specified, the defendant's answer that the prior use was sub-

The right of inspection, of course, is not a new idea, having been recognized both under our own former equity practice and the English chancery practice."

Under the old rules, in this country, inspection was frequently had by motion of plaintiff, but only under certain well-defined conditions, although the authorities were not always in accord as to the application of the rule. A leading late case is

Rowell vs. Wm. Koehl Co., 194 Fed. 446 (1912).

This was a motion by plaintiff for an order directing the president of the defendant corporation to produce a copy of his pending application for a patent and for an inspection of defendant's machine for making pill boxes. Complainant's affidavits show that the defendant used in its factory a machine for making the

stantially the process described in plaintiff's patent was held sufficient.

Delta Metal Co., Ltd., vs. Maxim Nordenfelt, Ltd., 1891, 8 R. P. C. 169.

In another case:

Carnegie Steel Co. vs. Bell Bros., Ltd., 1907, 24 R. P. C. 82, the court said:

"Particulars of prior user must be given; evidence of prior user need not be given."

"In

Colgate vs. Compagnie Francaise Du Telegraphe De Paris, and *N. Y.*, 23 Fed. 82,

Judge Wallace pointed out that court of equity in patent cases had some time exercised the power of granting to a complainant an inspection of the alleged infringing devices as incidental to ordinary discovery, citing:

Vidl vs. Smith, 3 El. & Bl. 969.

Morgan vs. Seward, 1 Webst. Pat. Cas. 169.

Russel vs. Cowley, *Id.* 468.

Shaw vs. Bank of England, 22 Law J. Exch. 26.

"Courts of law have no such authority, but power to do so was conferred in England upon common-law courts by 15 and 16 Vict. c. 83, Sec. 42. Manifestly, cases may occur where the exercise of this power is necessary in order to prevent a defendant from profiting by his own artifice. The case made by the present bill is one where, if the defendant has appropriated the complainant's invention, it would be obviously difficult, if not impossible, to prove the fact unless an inspection were granted."

Inspection in England is allowed under Section 34 of the Act of 1907:

"In an action for infringement of a patent the court may, on the application of either party, make such order for an injunction, inspection, or account, and impose such terms and give such directions respecting the same and the proceedings thereon as the court may see fit."

various parts or body portions of the box, and then automatically assembled them to make a completed box; that the boxes of the defendant have three parts, the cardboard cylinder, the cardboard disk, and the gummed paper, and that when such parts are united by the machine they are similar in appearance, size, and form to the boxes made by the patented machine of the complainant. From the appearance of the defendant's product, and from the testimony of its president, complainant's expert witness testified that he formed the opinion that in its principal operating parts the machine of the defendant was similar to that described in the patent in suit, and that the defendant employed either the identical mechanism or mechanical equivalents to achieve the result. It further appears that the defendant, in the year 1907, built and used a machine concededly not unlike the complainant's, and upon receiving notice of infringement abandoned its use. Defendant's machine is secretly operated, and defendant declines to produce the same for inspection, on the ground that an application for a patent covering it in all its details has been filed in the Patent Office.

While it was conceded that the court had power to compel the disclosure of the application for a patent, or the inspection of the machine, it was contended that no *prima facie* showing of infringement had been made, and that the defendant's machine embodied trade secrets. The court held that the concealment by the defendant of the machine and the method of making its boxes, its declination to furnish a description of the essential parts, and the similarity of the boxes, that is, the product of the machine, were "sufficient grounds for suspicion" of infringement. That while the burden is on the plaintiff to prove infringement, yet where a defendant declines to show the machine, "there is a presumption of identity" between the machines.

3 Robinson, 305.

And, where the additional evidence produced showing the patented article was inferentially made by machinery, such as described in the patent, there is reason for cause for believing infringement exists. Of course, the application for inspection must be in good faith.

The court ordered that defendant either furnish a copy of the application, or permit an inspection of the application in the

Patent Office, according to the defendant's preference, or a master to be appointed to inspect defendant's machine at its factory and furnish a report to the court."

"A pending application of a defendant is not privileged.

Edison Electric Light Co. *vs.* United States Electric Lighting Co., 44 Fed. 294.

In that case plaintiff had a pending divisional application. An ambiguity appeared in the patent sued on capable of two meanings and the defendant claimed that the divisional application explained these matters and greatly restricted the claims of the patent in suit. It was ordered that the *subpœna duces tecum* be obeyed.

ENGLISH PRACTICE.

Communications between an applicant and his patent agent are not privileged.

Mosely *vs.* Victoria Rubber Co. (1886), 3 R. P. C. 351.

An English case similar in its facts to E. N. Rowell Co. *vs.* William Koehl Co., is that of

Bovill *vs.* Moore, 2 Coop. Ch. R. 46 (reported in Dav. Pat. Cas. 361, 402),

involving a machine for making bobbin lace. There Lord Elton said:

"Now the manufactory of the defendant is carried on in secret. The machine which the defendant uses to make bobbin lace, and which the plaintiff alleges to be a piracy of his invention, is in the defendant's own possession, and no one can have access to it without his permission. The evidence of the piracy, at present, is the bobbin lace made by the defendant. The witnesses say that this lace must have been manufactured by the plaintiff's machine, or by a machine similar to it in principle. This is obviously in a great measure conjecture. No court can be content with evidence of this description. There must be an order that plaintiff's witnesses shall be permitted before the trial of the action to inspect the defendant's machine, and to see it work."

Other instances of inspection under the English practice will be shown in the following:

Smith *vs.* Edlin-Sinclair Type Co., 20 R. P. C., 435.

Russell *vs.* Crichton, 1 Web. P. 667.

Batley *vs.* Kynoch, L. R. 19 at p. Eq. 92.

Flower *vs.* Lloyd, W. N. 169, 230.

A now famous order of inspection is that relating to the Keely motor in the case of

Wilson *vs.* Keely, 43 O. G. 511.

The true theory of inspection appears to be well set out in the case of

Dobson *vs.* Graham, 49 Fed. 17,

where the court said:

"If it were shown that these secrets are used as a cloak to cover an invasion of the plaintiff's rights, or if there was reliable evidence tending to show it to justify the belief that they are sound, the motions would be sustained."

This order, it is noted, did not say that this should be done in camera.

In the later reported case of

Eibel Process Co. *vs.* Remington-Martin Co., 197 Fed. 760, (1912),

Judge Ray expressly disapproved of Judge Hazel's opinion in the Rowell case, and held that "suspicion" of infringement is not enough to justify such an order. Judge Ray pointed out that a motion was premature until a *prima facie* case has been made out by taking testimony and concealment by defendant of its alleged infringing devices or of plans, drawings and documents.

Dobson *vs.* Graham, 49 Fed. 17.

Diamond Match Co. *vs.* Oshkosh Match Co., 63 Fed. 984.

Judge Ray correctly points out that it is a serious thing to direct a manufacturing corporation to allow the attorney and patentees and experts of a rival concern to enter its plant and inspect and measure its machinery, and the operation thereof, and compel it to furnish samples of its stock and product. But he failed to point out that, on the other hand, from a plaintiff's point of view, inspection is often essential under modern manufacturing conditions where it is almost impossible for a patentee to obtain access to a rival's factory and prove, with any degree of exactness, what type of machinery or processes are being employed, although the patentee may have ample legitimate reasons for believing that his patented device or process is being wrongfully employed."

Just how far, under the new rules, courts will require the answering of interrogatories inquiring into the doings of a defendant remains yet to be determined.

"In England generally the plea of a defendant that his process is secret does not avail him against answering interrogatories.

Rennard *vs.* Levenstein, 1864, 3 N. R. 665, 10 T. L. M. S. 94.

Ashworth *vs.* Roberts, 1890, 7 R. P. C. 455.

In order, however, to obtain an inspection of a supposed infringing machine not only must a *prima facie* case be made out, but where the thing or process inspected is secret the inspection will be granted to scientific witnesses who will be required to keep any secrets which they may have discovered and do not affect the question of infringement; the court frequently limiting the inspection to scientific men and excluding the plaintiff from being present.

Flower *vs.* Lloyd, 1876, W. N. 169, 230.

Swan *vs.* Edlin-Sinclair Tyre Co., 1903, 20 R. P. C. 435.

In a case in the Ninth Circuit.

International Steam Pump Co. *vs.* Dow Pump & Diesel Engine Co.,

Judge Van Fleet, in an unreported memorandum opinion, sustained defendant's objections to interrogatories directed by plaintiff, asking defendant whether or not it had made or sold any pumps corresponding to a blue-print attached to the interrogatories. Defendant's objections were made particularly on the grounds given in Judge Ray's opinion; also that there was no showing of any lack of knowledge on the part of plaintiff to the facts sought to be discovered or any concealment of any acts, or any secret action by the defendant; that the bill was verified and alleged categorically and not on information and belief, the facts on which plaintiff sought relief including the question of infringement; and that the proceedings were in the nature of a "fishing expedition" "to bolster up a suspected cause of action."

This right of inspection, however, does not prevent the protection of an honest trade secret, although with the privileges of the patent and copyright laws there can be few *bona fide* cases of trade secrets and courts should view them with disfavor, if not suspicion."

"FISHING EXCURSIONS. Judge Lurton, in the case of *Carpenter vs. Winn*, *supra*, drew attention that "fishing bills" or bills in the nature of fishing excursions had always been abhorrent to equity. This is also the rule today in England, as seen by the answer of the Lord Chancellor to Mr. Justice Lurton's question relating to equity procedure in England:

"A fishing discovery, that is to say, discovery in order to enable the applicant to fish for a cause of action when he has no materials of his own, is disallowed. It must always be a matter of decision upon the circumstances in each case whether it is a fishing application or not."

"As Mr. Wigmore in his work on Evidence points out:

" In an epoch when patent rights and copyrights for invention are so easily obtained and so amply secured, there can be only an occasional need for the preservation of an honest trade secret without resort to public registration for its protection. Such instances do occur, but an object of the patent and copyright laws is to render them as rare as possible, and the presumption should be against their propriety. In other words, a person claiming that he needs to keep these things secret at all should be expected to make the exigency particularly plain. In the next place, the occasion for demanding such a privilege arises usually in actions where the party claiming it is as one charged with infringing the rights of another by fraudulent competition in business, and the existence of the fraud can be proved only by investigating the claimant's methods of business. In such cases it might amount practically to a legal sanction of the fraud if the

I opine that the rule will prevail in American practice similarly as applied by Judge Van Fleet.

PROCEEDINGS UNDER RULE 48.

In the matter of inquiry into prior use, Judge Dickinson in *Todd vs. Whitaker* made one pertinent observation which may save the Bench and Bar much worry about resorting to interrogatories and that was that proceedings under Rule 48 for the taking of depositions of experts would furnish all the information which could fairly be asked concerning an inspection of a prior use, and there would seldom be occasion to resort to interrogatories

court conceded to the alleged wrongdoer the privilege of keeping his doings secret from judicial investigation. No privilege at all should there be conceded, although as much privacy as possible might be presented by compelling disclosure no farther than to the judge himself, or to his delegated master, or auditor, if (as is usual) the cause is tried by chancery procedure. In other words, the privilege should be conceded in those cases only where the disclosure of the facts by the particular channel of the witness in question is but a subordinate means of proof, relative to the other evidence available in the case; for without some such limitation the general principle cannot be enforced that testimonial duty to the community is paramount to private interests, and that no man is to be denied the enforcement of his rights merely because another possesses the facts without which the right cannot be ascertained and enforced."

Wigmore Evidence, 1894, Vol. 3, Sec. 2212, pp. 3001 to 3002.

The case of

E. I. du Pont de Nemours Powder Co *vs.* Masland *et al.*, 222 Fed. 340 (Pa.),
presents an interesting and unusual case of discovery and trade secrets.

There the bill was filed to restrain defendants from disclosing trade secrets of plaintiff obtained by defendants as employees and confidentially communicated to them.

Defendant was given information as to what claimed secret processes were, the formula of which was kept in camera. The defendant stated that the so-called secrets of plaintiff were not secrets but old processes and which anyone had a right to use. Defendant then gave notice of an intention to employ experts to discuss with them the matter. This alarmed plaintiff who applied for a restraining order which was granted. Then witnesses for plaintiff were asked on cross-examination to state the formulæ embodying the secret processes, and the present motion to vacate was brought. The Judge said: "This difficulty could not be met by an appropriate order for keeping the answers to the questions asked in camera." The defendant was denied the right to disclose any information to their experts.

The ultimate disposition of this case will be awaited with interest.

in such matter. This is quite true if we but realized that under Rule 48 the plaintiff is merely required to make out his *prima facie* case as to infringement; assuming, of course, that the acts of infringement are within the knowledge of the plaintiff. The latter is not concerned for the time being with the defendant's prior uses; plaintiff does need to know the extent and character of the prior use in time to prepare intelligently for trial. But presumably the defendant's expert will of necessity in his affidavit, fully outline the nature and character of the prior use. Hence the plaintiff then has an opportunity before trial to make full answer thereto so that the danger of surprise that might otherwise be possible if the nature of the prior use were left until the time of the trial, may be wholly avoided by timely action taken by plaintiff to apply to have the case placed subject to Rule 48.

While Rule 48 is in no correct sense a discovery in the usual meaning of the word, yet by proceeding under it the need for discovery, as far as prior user is concerned, is in a large measure obviated. In other words, it is an insurance to the plaintiff against surprise at the trial and in that respect it is an effective discovery to him.

EQUITY RULES 25 AND 30.

Likewise the rulings of certain of the courts under Rules 25 and 30 concerning the form and substance of bills and answers are in the line of discovery for one or the other of the parties. Here we see a further radical departure from the old practice and one whose possibilities have not yet fully been exploited or defined.

The only reported case in which this matter has been considered, bearing on the subject of discovery or further particulars against surprise is that of

Coulston et al. vs. H. Franke Steel Range Co., Inc., 221 Fed. 669 (March 8, 1915).

This was on a motion of plaintiff that the defendant be required to make its answer more definite and certain by setting forth in what respects each of the patents, pleaded in the answer as anticipations, discloses any of the elements or combinations of elements described in plaintiff's letters patent and in what respect they negative the novelty and invention of the device of the patent.

The court points out that the apparent purpose of the rule is to establish in equity cases in the federal courts some of the short cuts provided by the state codes. It further illustrates the abuse, detail, expense and burden to courts and litigants by the old practice of setting out numerous patents in an answer and then only relying on a limited number, if any of them. Such practice leaves the court, when hearing the testimony, wholly in the dark as to what may be relevant and what irrelevant.

Judge Clarke says:

"I am convinced that it was the purpose of the new rules to require that counsel shall so study the patents on which they intend to rely that in their pleadings they can state in short and simple terms what they claim with respect to them, rather than to defer such study until after a record is made up of volumes of irrelevant matter, and then, by study and analysis, to pick out what is essential to a decision of the case. . . .

"This court cannot refrain from observing in this connection that the old notion that a suit at law or in equity is chiefly a game affording an opportunity for the matching of wits of counsel and for the exercise of the ingenuity of courts is fast giving place to the conception that suits both at law and in equity should be sincere and candid attempts to reach the real point of difference between the parties to them, and to secure a just settlement of such difference."

With these thoughts in mind, it is not at all surprising that the court allowed the motion of plaintiff.

Thereupon the defendant, acting on the suggestion of the judge, made a motion that the plaintiff in turn, in his complaint, set out in plain terms what new and inventive contribution to the old art was made by the patentee and disclosed in the patent and claimed to be infringed by the defendant; in other words, to require the plaintiff to point out what was the real invention of the patent and claims sued on.

Defendant's motion was granted, and the court for the Northern District of Ohio drafted the following rule governing patent pleadings in that jurisdiction:

"Counsel are advised that hereafter in pleading in patent cases the provisions of new Equity Rules No. 25 and No. 30 must be strictly complied with, requiring 'a short and simple statement of the ultimate facts upon which the plaintiff asks relief,' and a statement in short and simple terms of the defense to each claim asserted in the bill.

"A general reference to a patent will not be accepted as a sufficiently definite compliance with these rules."

While the theory of requiring the plaintiff to definitely define his invention in his complaint is good, it is unquestionably an assumption by plaintiff of the prerogative of the court to attempt to construe his patent; the patent being the best evidence of its legal effect, and this legal effect varying with the quality of the prior art developed by the defendant aside from any showing of the file wrapper of the patent. If the rule requiring the pleading of a patent, *also required a reference to the file wrapper as construing it* so as to make the file contents a part of the bill, an immense step forward would be taken towards informing the court *ab initio* of the scope and character of the patent. Of course few plaintiffs desire to do that unless the file wrapper were very much in their favor, but that would be the very reason for bringing the file wrapper before the court by the plaintiff, both for the purpose of informing the court and the defendant.

The order entered in the Coulston case, as far as it relates to the plaintiff, is largely, if not wholly, an empty one, for a plaintiff will naturally shape the definition of his invention to suit his own ends. Even if he may have reason to suspect that the defendant will rely on certain evidence to limit his patent, it is not seen how he can be required to anticipate such a defense. In addition to that, it is abhorrent to the rule that a plaintiff cannot be compelled to forecast with absolute certainty the theory of either the law or the facts which he will finally be compelled to unfold at the trial."

In conclusion I cannot better express the purpose and intent of the new rules, and the duty entailed upon all of us as members

"To quote from the recent case of

Gimbel Bros., Inc., *vs.* Adams Express Co., 217 Fed. 318:

"We cannot subscribe to the proposition that a plaintiff can be compelled to attempt to forecast, with absolute accuracy, the theory of either the law or the facts which he will be finally compelled to unfold at the trial. If he was so compelled and did not accurately forecast the theories, both of law and of fact, which he finally at the trial determines to be the true ones, he would be driven to an amendment of his pleadings. It is permissible for him to so state the facts as to leave him free to evolve any theory at the trial which is supported by them. The practical conditions of the trial compel him eventually to make an election among the possible theories on which the case may be tried, but he is under no compulsion to make his election in advance of the trial."

of the Bar, than to quote the concluding words of Judge Clarke in the Coulston case:

" the application of the new equity rules to patent cases should command the cordial support and assistance of the Bar, without which, of course, judges will be in large part powerless to give them full effect. It may be that there is much in the claim often made that the new equity rules cannot be successfully applied to pleading in patent cases, but several judges throughout the country, notably in the Southern District of New York and in Massachusetts, are making a determined effort to give the application of them to such cases a fair trial. With this effort this court is in entire sympathy, both for its conviction that it is its duty to give effect to these rules prescribed by the Supreme Court of the United States, and also because of its conviction that their application to such cases will greatly curtail the extent of records made up in them, and so the expense to litigants, and will result in a genuine reform, leading to a more prompt decision of cases, and also to a large measure of justice in the determination of them. Delay of decision and excessive cost often defeat justice."

PROCEEDINGS OF THE JUDICIAL SECTION

Meeting of the Judicial Section of the American Bar Association was held at the Hotel Utah, on Tuesday, August 17, 1915, at two o'clock in the afternoon.

Orrin N. Carter, Judge of the Supreme Court of Illinois, presided as Chairman.

The Chairman:

While it is not a part of the arrangement that we undertake to transact a little business at this time, on account of the necessity of expediting matters, I think it would be well before the annual address is given to have a Nominating Committee appointed, so that they can report before we begin our general discussion.

Judge Ira E. Robinson, of West Virginia:

Mr. Chairman, I move that the Chair be authorized to appoint a Nominating Committee of five.

Motion seconded, put and unanimously carried.

The Chairman:

The names of this committee will be announced later. I regret to announce that Mr. Justice Van Devanter, of the United States Supreme Court, will not be here to address us. No doubt all of you noted that in the first announcement sent out to the judges it was stated that he was to give the annual address, if he could make his other arrangements fit in. Since then matters have arisen which have made it impossible for him to be here—much to his regret, but much more to our regret. I had also arranged with former President William H. Taft to speak to this Section, as he did last year at Washington, but just before I left Chicago I received a letter from Judge Taft stating it would be impossible for him to be here in time to be

present. I have spent considerable time in trying to get some other prominent jurist—of course I am not saying we are not all prominent jurists, but perhaps some are better known than others—to make the address in place of Mr. Justice Van Devanter, but found it impossible in the time available.

In order that they may be able to make a report before this Association adjourns, I will now appoint the Committee on Nominations. The duty of this committee will be to nominate a Chairman and Secretary of the Section and four members of the Executive Committee—the Chairman of the Section being ex-officio a member and Chairman of the Executive Committee. I will name as the Nominating Committee Judge Ira E. Robinson, Presiding Judge of the Supreme Court of Appeals of West Virginia; Judge Jacob Trieber, United States District Judge, Little Rock, Arkansas; Judge Frank H. Norcross, Chief Justice of the Supreme Court of Nevada; Judge John P. Briscoe, Judge of the Court of Appeals of Maryland; and Judge Charles N. Potter, Chief Justice of the Supreme Court of Wyoming. If this committee desires to meet while I am making my address, it will not cause me any embarrassment. I would much prefer to have the committee here during the general discussion than during my annual address.

Judge Robinson:

The committee will meet after the close of your address. I suggest that at that time a recess of the Section be taken while we are preparing our report.

Whereupon Judge Carter read his annual address before the Association.

(The address follows these minutes, page 869.)

The Chairman:

Judge Robinson, we will take a recess of a few moments for your committee, if you desire.

Judge Robinson:

The committee will meet in the Secretary's room.

Whereupon a recess was taken for ten minutes in order to give the Nomination Committee time to report.

The Chairman:

Is the Nominating Committee ready to report?

Judge Robinson:

The Committee on Nominations make the following report: For Chairman of this Judicial Section, Orrin N. Carter, of the Supreme Court of Illinois; for Secretary, Gaylord Lee Clark, of Maryland; for members of the Executive Committee, Arthur P. Rugg, Chief Justice of the Massachusetts Supreme Judicial Court; Frank S. Dietrich, U. S. District Judge of Idaho; Thomas C. McClellan, Judge Supreme Court of Alabama; and William C. Hook, Judge U. S. Circuit Court of Appeals of Leavenworth, Kansas. I move the adoption of the report.

The motion was carried and the officers named in the report duly elected.

The Chairman:

Permit me to say, as I said to the committee, I am not anxious to continue in this place. The duties of this position are not easy and take much time. I consented to remain in the present position for the coming year because of my interest in this Section, thinking that perhaps one who was somewhat familiar with this work would be better prepared to carry it on. The success of this Section thus far has been due as much to the hearty co-operation of all who have attended as to the efforts of any one individual. I wish to thank you all for the appreciation you have shown of my efforts and of what the Section has been doing.

We are now ready for the discussion of the day. I know it will be very helpful as well as very interesting. The subject is:

"Uniformity in Practice and Procedure; is it desirable; if so how best secured; shall courts or legislatures frame the rules?"

This is not to be a debate, but a discussion, each speaker giving his own views in his own way. The discussion will be opened by Frank S. Dietrich, United States District Judge, of Idaho.

Judge Frank S. Dietrich:

If the discussion is not to be at cross-purposes, I am convinced there is need of an express understanding of the scope of the question and a definition of some of its terms. The proposal is to establish the same system of practice throughout the United States in all the courts, both federal and state; whatever or wherever the tribunal, the procedure is to be the same. This is to be brought about not by a process of gradual assimilation, but by the adoption of a complete formal code. When we remember that there are approximately fifty jurisdictions governmentally independent of each other, with systems of considerable diversity, the magnitude of the undertaking challenges attention.

By the term "procedure," as I understand it, is meant the rules by which controversies are brought into court, the facts uncovered, and justice done. I further assume that it does not extend to certain subjects which, while pertaining to the remedy, and sometimes treated of in codes of procedure, possess so many of the characteristics of substantive law that they must be considered in a class by themselves. Such, for example, are statutes of limitation, statutes of frauds, and statutes providing for exemptions, fixing periods of redemption from judicial sale, and establishing provisional remedies. Those who have been most active in promoting interest in the subject apparently hold the view that a court or commission may, and probably should, be clothed with the power to devise and authoritatively promulgate the system, but it is not to be supposed that anyone thinks that Congress or the legislature of any state would, even if it could, abdicate its constitutional functions to the extent of committing matters of this character to the discretion of independent, non-legislative bodies. We may therefore exclude them from present consideration. The question of desirability, I take it, involves as well the question of practicability. That in theory uniformity is desirable would generally be conceded; upon that point there is perhaps little room for discussion. But we are not here as a body of dreamers or theorists to consider abstract ideals; we are interested in the practical improvement of the administration of a branch of government, for which we are in a measure responsible.

Now with this understanding of the question, the pertinent inquiries are: Why uniformity rather than diversity? Who are

to be relieved, and what are they to be relieved from? Who are to be benefited, and what is to be the benefit? Unless we are seeking change for its own sake, or are content to appeal to the prevalent spirit of restlessness, or to some vague, unreasoning sentiment, the question must be squarely met. Presumably somewhere there has been set forth a fairly comprehensive statement of the reasons for the undertaking and of the benefits which it is supposed will follow its successful consummation, but unhappily, if there be one, it has escaped my attention. Such brief discussions as have fallen under my observation have to do largely with one branch of the subject, and, aside from the citation of what appear to be testimonials from certain individuals and the favorable resolutions of certain organizations, consist in the main of general assumptions, one of which is that there is some causal relation between the existing diversity of practice and certain prevalent defects in our present method of administering justice. It is doubtless easy enough to procure for the proposition a measure of popular approval. Any proposal sounding in uniformity is assured of a favorable first hearing; the idea is in accord with our growing sense of national unity. The impulse of a variable sentiment, however, is insufficient for the sustained effort which unquestionably will be required before even the most sanguine can hope for success. We must be prepared to show not only that uniformity is ideally desirable, but that it is feasible and that it will be beneficial in certain concrete and substantial particulars.

Now as best we can suppose we attempt to analyze the question and set down rather plainly what may be said both for and against it. This method will not admit of an appeal to the emotions or the imagination, but it has the virtue of putting safety first; we can keep our feet upon the ground.

There are two general classes interested in legal procedure—those who participate in the administration of justice, and those for whom it is administered; in one class the lawyer and the judge, the litigant in the other. They are both concerned, although in different ways, and the interests of both are entitled to consideration.

Such benefits as would accrue to the Bench and Bar may quite readily be ascertained and pointed out. Those judges and lawyers whose employment or official duties bring them into contact with

the practice of more than one jurisdiction would be relieved from the necessity of acquainting themselves with two or more systems of procedure; thus far and no farther does what we may call the strictly professional interest extend. The weight of the consideration depends largely upon the proportionate number of those who would be affected. Speaking first of the judiciary, it is manifest that the matter little concerns the state Bench, either trial or appellate. Generally speaking, state judges have to do exclusively with the practice of their own state, and whether that is like or unlike the practice in other jurisdictions is to them a matter of indifference. On the other hand it must be admitted that with uniformity the duties of the federal Bench would to a certain extent be rendered less onerous. Appellate judges are under the necessity of considering questions coming up from different states, and district judges are not infrequently assigned for service in districts other than their own. However, if I may be permitted to draw upon my own personal experience and observation, I am inclined to think that the burden imposed is not a very weighty one. And, besides, is it not possible that the waste thus entailed is fully compensated by the opposing influence of such a condition to the natural tendency to over-refinement in matters of procedure? A struggle now and then by an occupant of the Bench with an intricate question of foreign practice is calculated to check any inclination he may have toward pedantry of procedural learning and to broaden his sympathy for the litigant whom he is asked to send away empty-handed without a hearing upon the merits because of the inadvertence or want of experience of the attorney to whom he has confided his cause.

Turning now to the Bar, it is manifest that diversity is objectionable to those lawyers who practise in more than one jurisdiction; to all others it is of no professional interest. Unfortunately statistics are wanting on the subject, but from general observation it is safe to estimate the percentage of those who regularly practise in two or more states as being comparatively small. In commercial centers near state boundary lines a considerable number may have such a clientage, or such a class of business, as to require their frequent attendance on the courts of both of the adjoining states, but on the whole it is thought that such a practice is exceptional rather than usual. Perhaps the most conspicuous

cases are those of attorneys employed in the Department of Justice at Washington and the counsel for railway companies and other interstate corporations. Of most of these it is to be said, however, that while diversity of practice in the several states to which their duties pertain doubtless adds to the difficulty of their service, the burden is after all not so great as it might seem. It is customary to have attorneys in the several jurisdictions who, subject to the supervision of general counsel, are expected to handle local litigation. The United States district attorney thus acts for the Department of Justice, and the railroads have a divisional representative under one title or another in nearly every jurisdiction. Even were there uniformity of procedure, the continued maintenance of legal systems of substantially the same character would doubtless be deemed to be judicious, if not absolutely necessary. Knowledge of local conditions, which only resident attorneys can have; of the personal characteristics of witnesses, jurors and judges, and even of opposing counsel, is often of great value in the trial of cases. Moreover, the practice of employing attorneys from distant points to conduct litigation is not, generally speaking, conducive to the prompt administration of justice, and as a rule is not to be encouraged. In the nature of things, with counsel residing at a great distance from the place where court is held, more time is consumed in serving notices and procuring appearances, and the court is beset with more requests for indulgence, and for relief from conflicting engagements. In short, without further amplifying the reasons, I am convinced that, whether we have diversity or uniformity of procedure, generally litigants must, both for their own good and for the good of the court, have the service of counsel of the vicinage, and therefore, from a professional standpoint, diversity of practice is a comparatively unimportant consideration; and it is to be doubted whether at the Bar there is any general consciousness of the need of the proposed reform.

It is but fair to add, before leaving this branch of the subject, that manifestly uniformity would be of substantial, though temporary, benefit to the lawyer in preparation and the lawyer uncertain of location; and law schools would be enabled to furnish a more thorough training in pleading and practice. To them, therefore, uniformity would mean a distinct gain. The degree of the

importance we may attach to these considerations will probably depend very much upon the individual view-point.

We now pass to what is perhaps the more important inquiry, namely, of what value would uniformity be to the public, and especially to those who have the misfortune to be drawn into litigation. It is significant, I think, that while for a number of years our judicial machinery has been almost constantly under fire from almost every conceivable source, complaint of diversity of practice, if voiced at all by the organs of popular sentiment, has been given a very inconspicuous place. If this be the source of the evils complained of, it has quite successfully escaped public recognition. I can very readily understand how uniformity touching substantive rights, and even in respect to the nature and extent of remedial rights, would be of great benefit to the citizen. In his everyday transactions the man of business contracts with respect to the local law, with which he is more or less familiar. He therefore suffers a species of wrong if, when under the necessity of asserting his rights in a foreign jurisdiction, he finds that under the laws there prevailing the remedies upon which he relied are either entirely barred or are very much restricted. But if the right remains unimpaired, and the available remedies are substantially the same, he has little ground for complaint. If a citizen of Massachusetts, for instance, may follow his debtor into Utah, and there have a fair hearing upon the merits, without unreasonable delay or expense, it is quite immaterial to him whether the process by which his adversary is brought into court is called a summons or a notice, or with what formality it is executed, or whether it is issued before or after he files his pleading. The details of procedure he must leave to his attorney, and the place for his attorney is in Utah, not in Massachusetts.

Of course, if, as there seems to be a disposition to assume, uniformity implies superiority of procedure, an entirely different consideration is presented, one of interest both to the public and to the profession. But upon what ground can such an assumption be predicated? Systems of procedure may be uniformly bad as well as uniformly good. If, for instance, this discussion had taken place five years ago, we would have had in force the old equity rules of long standing in the federal courts. The system was uniform throughout the United States; and it had emanated

from a very high source. But against it public criticism became most persistent and insistent—much more so than against the practice on the law side of the federal courts which was and is diverse. And that the system was materially defective is generally conceded. Presumably there is substantial uniformity in all of the numerous courts of Pennsylvania, and in the courts of California, but from that fact we draw no inference touching the character or quality of the system in either state. If the inference is without warrant in the smaller unit of the state, upon what theory can it be justified in the larger unit of the nation? Upon the contrary, if the scope of current criticism is any criterion, the truth seems to be that our existing practice is more seriously defective in those features which are general than in those which are local only. It is the uniformities rather than the diversities which are so persistently assailed. The complaint is of the methods of administering justice, not locally in Oregon, or Illinois, or Maine, but generally in the United States; the contrast is drawn, not between Texas and Minnesota, or Idaho and Virginia, but between America and some foreign country.

It is true that through the processes of revision, necessarily involved in establishing uniformity, a measure of improvement might be realized, but this is an entirely different proposition; such betterment is contingent upon, and if realized, would be due to, intelligent revision, rather than uniformity. The same effort put forth independently in the several states, without regard to uniformity, might be even more efficacious. There is no acknowledged standard of excellence in procedure. Methods are various; none perfect, none wholly bad. Uniformity by a formal code is likely to be attained only through compromise, and the result of compromise, it is needless to say, does not always approximate the ideal.

Now passing to the question of feasibility or practicability: If the limited benefits we have mentioned are to be realized, uniformity must approximate completeness, and must be actual as well as theoretical. Identity in theory with diversity in actual practice would serve only to furnish pitfalls for the feet of the inexperienced and unwary. Moreover, uniformity is not only to be established but it must be preserved. If we start with the heroic assumption that a uniform law can be gotten upon the statute

books of the numerous jurisdictions, have we accomplished uniformity in fact, and can it be maintained? Two forces at once set in to qualify, if not to nullify, the desired effect of such a law. In the first place, there is the resistance of established usage to innovation and change. In the field of legal procedure, as in other legislative fields, statutes out of accord with custom and running counter to local sentiment are of limited efficiency. Legal habits and modes of procedure are proverbially tenacious of life; and, slowly yielding, they leave their impress upon and give form and color to that by which they are supplanted. In some states, it is to be assumed, the uniform code to be adopted would work only minor changes, but in others it would be revolutionary in form, and would therefore become subject to the unrestrained operation of this force; and, quoting from the notable address of Lord Haldane at the Montreal meetings two years ago, "all our reforms notwithstanding, the dead hands of the old forms of action (would) still rest upon us." Of even greater potency is still another tendency. While unlike systems of procedure in close contact yield to a process of assimilation, identical systems in proximate but independent jurisdictions tend toward the evolution of distinct species. Install the same system in the several states and at once differentiating forces come into operation to break up the unity. Through elimination by disuse, accretions by local rules and customs, moulding and adaptation by judicial construction, and repeal or modification by positive legislative enactment, substantial dissimilarities of actual practice are soon developed unless prevented by constant vigilance and ceaseless opposition. That the power of this tendency is not merely fanciful is easily demonstrated. A striking example is close at hand. Even before complete success crowned the effort to secure the enactment of the uniform negotiable instruments law in all the states, there had arisen serious cause for alarm lest its purpose be frustrated through the manifest operation of but one of these differentiating agencies, the influence of judicial decisions. In his annual address before the Commissioners on Uniform State Laws at their conference at Washington last fall, the President of the organization said: "Taking the country as a whole, there has been as pronounced a tendency to divergence in the decisions of the courts as there has been in the enactment of statutes in the

respective states. This has not been a conscious tendency on the part of the courts, but it has been none the less alarming. It has been a menace to the accomplishment of our purpose, of such grave proportions as to convince us that the attainment of our end would be jeopardized, unless some means could be found to meet or check the tendency."

If the tendency to diversity in judicial decisions is so subversive of the uniformity of substantive statutes, which are but infrequently drawn into controversy, how much more rapidly must the process go on in the case of procedural regulations which are daily construed and applied! For this consideration alone I am inclined to the view that the proposal is impracticable. Were the benefits to be expected of overshadowing importance, the good to be obtained might justify the continuous effort to counteract these distintegrating forces, but, as we have seen, they are of limited character.

Moreover, if uniformity stands in jeopardy from the unconscious divergence of judicial interpretation, it follows that the peril can be averted only through the conscious effort of the judiciary. Shall we not give serious heed to what is thus implied? Co-ordinated with the duty of giving judgment is to be the further-recognized obligation of seeing that the judgment is reached by following the course pursued by some other court; we are not to keep our eyes upon the goal but upon the ground. And a troop of inquiries are at once upon us: The decision of what tribunal is to be controlling? Is it a question of "follow the leader," so that if, for illustration, a court in Idaho happens to be the first to make the application of a given provision, its decision will be binding upon all the courts in the country? Or, as I think I have seen suggested, is precedence to be accorded to the decisions of the state which happened first to establish the system, under some extension of the principle applicable to the construction of adopted statutes? And how is the inadvertence of the trial judge to be corrected, or his disposition to step out of line to be restrained? Will appellate courts reverse and order a new trial on the ground alone that some rule of uniformity has been ignored? And, if not, what are to be the sanctions of the rule? And how are we to be advised of the decisions of other jurisdictions? Are we to open our purses and bend our backs to the rapidly multiply-

ing volumes of still another set of law books to be known as the Uniform Practice Reports?

An even more important consideration is the effect which the effort thus required to maintain uniformity is likely to have upon a tendency always banefully present in the administration of justice—the disposition to over-value matters of mere procedure. To the results of its operation much of the more just and serious criticism of the day is to be ascribed. But if, as seems to be necessary if it is to be maintained, we make of uniformity a sort of shibboleth, and Bench and Bar are to be imbued with the idea that they have a sacred responsibility in the premises, we inevitably add potency to the very tendency whose consequences we know to be evil, and check the wholesome and happily growing spirit of disregard for technical form. Of infinitely more importance than uniformity of system is the uniform prevalence of this spirit. After all, efficiency in the administration of justice is largely a matter of attitude and atmosphere. Administered in the proper spirit, a poor system may work reasonably well, and without it a good system will turn out badly. Once given free course this spirit may be expected to accomplish, through the process of evolution, a large measure of the only unity which is feasible and permanent, and to reduce to a minimum the evils of unavoidable diversity. Diversity of type, it is true, can be corrected only by legislative intervention, but types are few, and, it may be added, give little promise of yielding to the proposed plan of legislative uniformity. Within a given type objectionable differences of local practice are apt to become innocuous, if they do not wholly disappear, under a broad and rational spirit of judicial administration. If under the influence of such a spirit we wholly banish from the court room the assumption that attorneys have a vested interest in the strict enforcement of rules of procedure; if a party may be and generally is relieved from inadvertent defaults and is given opportunity to comply with requirements excusably overlooked or misunderstood; if the courts will assume the right at all stages of litigation, upon their own motion, to interpose in the interest of justice; and if it comes to be recognized as bad form for counsel to raise a question or make an objection where there is no reason for believing their client's interests are affected, most of the goblins of foreign practice will silently

vanish away. But to this spirit I fear the atmosphere of the uniformity proposed will prove to be inhospitable.

The Chairman:

Just a moment before I ask for the next speaker. I would like to suggest that any of you here who have not registered, please do so before you depart. Mr. Clark, the Secretary, will have the register, and we wish the name, address and official position of every one here for future reference. I will now introduce Ira E. Robinson, Presiding Judge of the Supreme Court of Appeals of West Virginia.

Judge Ira E. Robinson, of West Virginia:

I am appearing before you, not without trepidation. I have no manuscript. I had to do either without a vacation or without a manuscript, and I believed that I needed a vacation more than you needed a carefully prepared address.

We have all been well entertained by the excellent paper which we have heard Judge Dietrich read. I must confess, however, that I have understood the purpose of this discussion just a little differently from what Judge Dietrich has evidently understood it. I assumed that we were to discuss the American Bar Association idea of uniformity in procedure, or that which I have commonly called the Shelton plan; that we were to discuss the merits of the work which has been carried on by the Committee on Uniform Judicial Procedure of the American Bar Association. So in my remarks I shall proceed along a different line from that pursued by Judge Dietrich. The thing I have in mind as desirable and obtainable is not procedure exactly uniform throughout the country, but a plan whereby procedure would be promulgated by the courts of last resort—the federal procedure by the United States Supreme Court, in accordance with the bill now pending in Congress, the Clayton Bill, No. 133, of the House of Representatives; and the procedure in each state by its court of last resort. I think not of precise uniformity in procedure everywhere, but of uniformity of desire and determination that the courts shall be given back that which originally belonged to them—the right to say by what methods and practices the law should be applied in them. That right the courts should have without legislative interference. The legis-

latures should stop meddling with matters of court procedure, after definitely granting back to the courts their original province in the matter of procedure and practice. The courts are competent in this regard; the legislatures have proved that they are not. We have had much more trouble about procedure in recent years than ever before. The more tinkering by the legislatures, the more trouble we have had. If the members of the Bar in each state would procure simple legislative action giving to the Supreme Court of the state the duty and province to prescribe procedure, it would no doubt be formulated by such court so that there would be the simplicity and common sense in it which modern conditions demand. This idea has been on several occasions admirably explained by Mr. Shelton. To me it seems true, as he insists, if Congress would untie the hands of the Supreme Court of the United States, that great court, upon which we look with admiration and confidence, will devise for the federal courts a system of modern practice, which will be a model from which the various supreme courts of the states may copy, as far as the same may be adopted to suit local conditions. Such a step would go far toward the establishment of better court procedure in the states.

Judge Dietrich has taken the position that there can never be uniformity—procedure exactly the same in all jurisdictions. I do not believe there is very much to be gained in a crusade for procedure to be just the same everywhere. But in determination to have procedure prescribed by the highest and ablest courts, there is much. It will bring uniformity in this: that procedure will be simplified and fitted to modern times everywhere. It will bring a uniformity of simplicity and applicability, though court procedure is not made exactly the same in every jurisdiction. A determination for modernization this Judicial Section ought to take up and to foster. I believe that was the thought which caused the Executive Committee to put on this program the subject in the terms that we have it.

The plan of which I have spoken has been the subject of discussion in practically all the Bar Associations of the states. Forty-two Bar Associations have given approval to it. We shall find some of the states backward. It will take time. But there is much to be gained from example. When it will be

observed that courts have again taken in hand the devising of procedure, and by their wisdom and experience are making procedure simple and effective, taking that which is technical or cumbersome out of it, then there will be a very general adoption of the plan throughout the states. As men of the Bench and of the Bar, we must face that which is at hand—a demand for the same modern sense in court procedure that is applied to other business. By no means do I mean by this that essential formality and rules, nor even all of the common-law principles, are to be abolished. If we do not get too philosophical, if we do not get too refined in our thoughts and too formal in our actions in these matters—in other words, let me say, if we do not assume too judicial an air, as lawyers and judges are prone to do—then we shall realize that the murmuring down in the very multitude of the people whose representatives we are means something. If the Bench and the Bar do not modernize procedure, mark me, and I think everyone here will agree with me, it is going to be straightened out, if I may be permitted to use that term, by those who are less competent to guide the transition than we men who have been promoted to high places upon the presumption that we know all about the law and the application of the law. The call is to us as judges, as men laboring, not for the mere salary we draw, but laboring toward an ideal that is to uplift humanity, to make conditions in our country so that unnecessary burdens will be lifted from litigants. That is peculiarly our business. It is the bounden duty of the courts and the lawyers to get right into this campaign for modernization—for the adoption of simplicity and certainty, directness and inexpensiveness in the procedure that is carried on in the courts. Let us make the procedure uniform in that it is simple, certain, direct, and inexpensive everywhere in the land, even though it may differ a little in detail here and there. That is my idea of uniformity.

I feel prompted to say just a few words along another line; and that is the theme of unity, not uniformity. Do you realize how much there is in brotherhood, how much of judicial spirituality and uplift comes to us from the meetings of this Judicial Section? Do you realize how much is going to be gained toward a better usefulness of the courts by our knowing each other and

exchanging views? I want to congratulate and give honor on this line to a Virginian for the thought that promoted and organized this Judicial Section, Thomas W. Shelton, of Norfolk. His high thought has not only promoted this organization, but, like another great Virginian, Patrick Henry, he has, by his plan for simplification of procedure, spoken a declaration of freedom from an oppression that daily afflicts the courts and those who must seek redress in them. I congratulate you with myself that we are members of the Judicial Section of the American Bar Association. I trust that every one of us, though he comes from the Bench, will lay aside the ermine long enough to get into the spirit of the brotherhood of the great day in which we live. It means much to know each other personally. Soul is quick to catch inspiration from soul. Let us not fail to attend and promote this Judicial Section. Let us invite our associates and all other judges whom we meet to unite with this great organization of the judges of the land, which has for its object the betterment of our country by the keeping in view of those ideals which will lead to the re-establishment of the confidence of the people in their courts. Only through the masters of the law may the law be made fitting to the great advance of the times. These masters of the law are the judges, the lawyers, and the law teachers. Imbued with the spirit of high calling, surely they will not fail to respond to the duty at hand.

The Chairman then called on Judge Thomas C. McClellan, of the Supreme Court of Alabama.

Judge McClellan said in part:

The questions submitted to this discussion appear to me to be as practical as the great subject to which they relate; and to foreshadow the entire feasibility of favorable responses to them.

The exclusive governmental function of administering juristic justice embraces three elements, namely: The law, whereby conduct is governed and rights are declared and preserved; forums for the expression and the application of the law; and then duly ordained, prescribed methods by which these established agencies may be made available and their authority made appropriately effective. The existence of substantive law and of forums would be practically vain unless means, machinery to

invoke them were afforded. The subject under discussion and consideration has reference, alone, to this last mentioned feature of judicial administration. As now presented, these inquiries do not in any primary sense invite the quest for, or the consideration of, faults in systems of legal administration or the suggestion of remedies for evils that may inhere or may appear in such systems.

The desirability of a generally uniform system of practice and procedure in the courts of the nation would seem to be clear: unless there exists in the states conditions that forbid in practice that which is obviously desirable at least in theory.

With the possible relative exception of the State of Louisiana, due to its qualified adherence to the civil law, it may be safely assumed that there is no distinguishing condition prevalent in any state in the union necessitating a generally different system of practice and procedure. In all the states there is similarity, if not fundamental identity, in the law governing the right and the law penal. So marked is the similarity of substantive law in the states, with the relative exception mentioned, traceable in the main to the process of appropriation from the English common law and then from states by states, the courts in all of the states constantly accept as precedents the decisions of sister states on questions involving like principles, even on questions relating alone to practice and procedure; and it is the general, if not the universal, rule to accord to a statute copied from the positive law of a sister state the fixed judicial construction the courts of last resort have placed upon the appropriated statute; and so upon the theory that the adopting state has enacted as a part of the statute the construction prevailing with the court of highest resort of the parent state. There are, of course, varying degrees of differences in the substantive law of many of the states; but this fact furnishes no basis for a denial of the practicability and desirability of uniformity in matters of method: since the proposal relates to method, and not to the substantial rights of parties litigant—rights which no conceivable system of practice and procedure would attempt to embarrass, to impair, or to defeat. There would seem to be no more reason for non-uniformity in matters of judicial method in the states than there is for non-uniformity

in the counties of a state. For reasons generally referable to local conditions, it is not uncommon to find in states variations of the substantive law applicable to some of the counties of a state without any accompanying change in the judicial methods generally obtaining in the commonwealth.

The completely ramifying agencies of communication and of transportation, and the constant commercial intercourse and interdealing of the people of the various states of the union, confirm the social, intellectual and commercial unity of the people of the nation and refute with emphasis any notion that state or sectional lines disserve, except for the necessary purposes of establishing and of maintaining the scheme of our national organization and of fixing the boundaries of the exclusive sovereignty of the states. Our country is one country. It is an "indissoluble union of indestructible states." It has in the flag the single emblem of its unity. Every American carries in his breast the pledge of his constant fidelity to this symbol of the unity of the nation's purposes and hopes, and of the nation's destiny. We speak the same language. The calamities that come here and there to distress and destroy freely command the alleviating and sustaining substance and tender sympathy of fellow Americans more fortunate. Whether we reside in the East or in the West, in the North or in the South, the same natural sense of justice pervades the national heart; and, if fairly invoked, will, in due course, establish its advised, mature, just judgment.

To give judicial expression and effect to the right, or to visit penalties for wrongs committed, there would appear to be no possible reason why those great functions should not be invited to performance by the same methods of practice and procedure in all of the states of the union; even if, in the beginning, in a comparatively few instances, classifications, to meet peculiar conditions, would require particular regulations. The denial that uniformity is desirable is but to relegate the subject to the unrelated action of the states; and to further confirm the condition that has heretofore prevailed—a condition that is a fruitful source of the dissatisfaction that is quite too widespread for the comfort of those who would preserve the judiciaries from the harmful, unhelpful effects of the discrediting propaganda of

the wise or the unwise, or of the vicious. General public confidence in the judiciaries must be deserved and must be maintained; and the judiciary of every state is keenly concerned in the repute of the judiciary of every other state; for the discrediting of one may in time work the discredit of another or of others. The proper, patriotically inspired scrutiny and criticism of judicial methods, and, upon occasions, of judicial action, are both desirable and necessary. The welfare of the people and courts are thereby conserved; but it should be borne in mind that in this day of the manifold and highly gratifying facilities for the dissemination of intelligence state boundaries present no barriers, no bounds, to the flight of any doctrine, of the good, or of the bad and destructive. The worthy repute or the degradation of the judiciaries of our country is no more susceptible to limitation to political divisions than is the impulse of patriotism or the effect of a moral or of an immoral example.

We are one nation, generally accepting the same ideals; led by the like sense of natural justice to like conclusions; and indissolubly bound to the same destiny. We ought to have, it would seem we can have, a uniform system of judicial administration. The advantages that would therefrom accrue would be immediate and would be of inestimable value to all. Some of the more important results to attend might be thus summarized: *first*, the standardizing, the nationalizing of the work of the law schools of the country in respect of practice and procedure in the courts, and thereby the material addition to their national and local values and to the scope and effect of their already great service; *second*, the improvement of the methods, the machinery of legal administration: for that, of a national relation, which has the approval of the nation's informed, mature judgment must be better than that which has the sanction of a state or of a part of the states—the nation, when it is advised and deliberately acts on a subject of national relation, being wiser than any state or part of the states; *third*, there would then be no law of the forum to affect, sometimes unexpectedly, rights of contract through the *mere means* of their enforcement; *fourth*, lawyers and counselors could then be informed and entirely capable of pursuing the practice of law in any state—a matter of no small moment to the legal profession of the country and to the com-

mercial interests that contract without regard to state boundaries; and, *fifth*, the harmony wrought thereby would bring forward the practice and procedure of laggard states by lending them the informed, inspiring judgment of the other states, instill a surer stability of decisions and found a real basis for an enduring, deserved public confidence in the directness, the simplicity and the fair certainty of judicial administration.

In view of our dual system of national and state governments—a system that recognizes the sovereignty of every state within its sphere and at the same time distinctly preserves the sovereignty of the nation in its constitutionally prescribed sphere—it seems to me that the more practical, feasible, hopeful plan whereby to undertake the attainment of this highly desirable uniformity in judicial methods is for the Congress to confer upon the Supreme Court of the United States plenary, wholly unrestricted power to make, alter or amend rules and regulations to govern every possible matter or element of practice and procedure in every jurisdiction subject to the federal authority; and for the state legislatures to likewise authorize and empower their courts of last resort; and then to convene in national assembly the members of these amply empowered tribunals of the highest authority within their respective jurisdictions for the consideration of the great subject now under discussion. The first step contemplates the willing conference by the law making bodies of this important power upon the courts of final resort. The making and molding of a system of practice and procedure for the state or the nation is a *natural* judicial function. We have, however, become generally accustomed to defer to the law-makers in respect to such matters, even when the enactment may have been a quite distinct encroachment upon the prerogatives of the judicial department. But at this time there is a well-founded and progressive disposition to recognize and to give effect to the wisdom of empowering the judiciaries, through broad legislative enactments, to do that which by their nature and duties they are best favored to do. The courts of final resort are almost constantly concerned with the consideration of nearly every feature of practice and procedure within their jurisdictions. They are at least expected to become experts on the subject. They are peculiarly favored to know the faults and the

excellencies of a general system of judicial method. No other body of men is so favored to comprehensively know this general subject as the members of the courts of final resort. To confer this plenary power upon such courts would add nothing to their stature nor clothe them with abnormal authority; for to these courts there is already committed, usually by organic law, far greater authority touching the lives, liberty and property of those subject to their jurisdictions, to say nothing of the great revisory power over other important branches of the judiciary. On the other hand, the regulation of practice and procedure through the statutory method has not, after long and sympathetic trial, proven satisfactory. The legislatures have not the time, if indeed the disposition, to devote to this particular subject. More often their sessions are limited; their duties are manifold and multifarious; and their naturally paramount concern with political or economic measures exclude the possibility of adequate consideration of what would seem to the average legislator an uninteresting subject for his action.

Furthermore, the familiar methods of legislation do not consist with the best results in formulating a system of practice and procedure—a system that must be viewed impartially and thoroughly, and by experienced minds. A regulation of practice or procedure by statute must, though faulty, await the reconvention of the law-makers; whereas, if the power to make and mold such regulations were with the courts, the imperfections could be removed at once and improvements introduced. Again: It is not to be anticipated that regulations prescribed under judicial authorization would be of such uncertain construction as is often the case with statutes regulating procedure: for the author of the rule would be its interpreter—an interpreter qualified to comprehend the system as a whole.

It is submitted that such an authorization of the courts of last resort is the only practical method in which to secure and to formulate an harmonious, an improved method of judicial procedure. Practice acts are, of course, desirable, if the better method cannot be had; and, even then, they are valuable if the court of final resort is empowered, as in the New Jersey Act of 1912, to make, alter and amend rules of practice and procedure, statutes to the contrary notwithstanding. One of the diffi-

culties in securing the adoption of a good practice act is the fact that one influential legislator may defeat its best provisions; and not infrequently that one is present and is disposed to exert his influence. Every conceivable advantage to flow from a practice act would be available under the plenary authorization of the courts of last resort. These courts and the legal profession would be drawn into an even closer relation and the proposals from the profession would be accorded a more immediate and sympathetic reception by the courts than the law-makers can possibly find time or occasion to extend. I am informed that several states have already so empowered their courts of final resort and that others will soon have followed their lead. If the American Bar Association will lend its great influence to the promotion and the acceptance of this idea by the states that it has, in effect, already given to the proposal to likewise plenary empower the Supreme Court of the United States in civil causes, we may be surprised how quickly all states will heed the appeal.

Given the time when Congress shall have plenary empowered the Supreme Court to make and mold practice and procedure in all phases of the federal jurisdiction, and the time when the like power shall have been conferred upon the courts of last resort of the states, there will then have come into being governmental entities amply empowered to establish uniformity—entities composed of men already thought to be worthy to bear and to discharge grave responsibilities and qualified to serve the purpose of the authorization.

According to a table that is thought to be practically accurate, the aggregate number of judges of state courts of last resort is 274. Adding these to the membership of the Supreme Court of the United States, the total number is 283. Of the judges of the states, 212 are elected by the people, a few by districts. The remaining 62 are either appointed outright or are subject to senatorial confirmation or are elected by legislatures. All of the judges who are elected by the people have terms varying from five to eight years. Pennsylvania is the state providing a twenty-one years term, and she denies a second term. Twenty-five appointed judges of the state courts of last resort are commissioned during life or good behavior. The terms of those elected by the legislatures are generally for fixed terms, though there are

exceptions. If thus empowered the men composing these courts of highest authority throughout the nation would have it in their power, and would undoubtedly have the disposition, to make and establish uniformity in practice and procedure. But they must. to accomplish that result, assemble and as an assembly inquire. investigate, deliberate, formulate and promulgate. It is here the American Bar Association could serve to bring into national assembly those fully empowered constituents of a national body predisposed to counsel together and to act for the welfare and advancement and advantage of the states and of the nation. Such a convention, presided over by the Chief Justice of the Supreme Court of the United States, surrounded by his associates on that greatest of courts, would be an assembly pre-eminently worthy of its occasion and of the great service it would be confidently expected to render. It would not be unwieldy in numbers. Its members would sit and serve with a sober consciousness of responsible authority and power and duty. To such an assembly every lawyer, judicial officer and layman who had aught to propose, or any criticism to offer, would be accorded ample opportunity and his views welcomed; for such a body would desire, and would take time and pains for, information and deliberation. It would be realized that the convention of such representatives of the nation's judiciary and of the state judiciaries marked a real epoch in our national life. It would be a body second to none in the importance of its opportunities; or in the hope it would hold out for the vindication and the preservation of the highest ideals with which all thoughtful, patriotic men are accustomed to contemplate the judiciaries of the country. In its voluntary assembly it would personify more perfectly than does even our Congress, the national sympathy, the national unity and the national, all-pervading spirit of helpfulness and vitalizing hope. Its conclusions and deliverances would be accepted and its approval or disapproval would decide. The result of its labors would confirm the hope for its permanency; and the American people, the legal profession and the judiciaries, national and state, would find therein such assurances of a deserved confidence in judicial administration as would awaken an abundant pride in every American heart.

The formal discussion was closed by a paper by Chief Justice William H. Gabbert of the Supreme Court of Colorado.

Judge Gabbert:

Practice and procedure are terms, the definitions of which are not uniform, but without attempting to define either, it will be assumed that when used in the conjunctive they embrace nothing more than rules for conducting judicial proceedings. Thus limited and confined to state courts, the subject under discussion presents two questions for consideration. First, Is uniformity in practice and procedure desirable? and second, If so, how can it best be secured? Most of the states have adopted civil codes, the object of which is to simplify common-law procedure. Owing to the inherent difficulty in codifying a system so complex as the law of procedure, many, if not all of these codes, have required frequent amendment and revision, despite which they have serious faults, with the result that the departure from the old system has not accomplished what was expected. For present purposes it is not necessary to undertake the task of pointing out the particular defects of the so-called code system. Those who have made a study of the subject assert that it causes undue delay in the administration of the law, the unnecessary expenditure of time and money in efforts to enforce just rights, and that more than one-half of the cases reversed on appeal turn on questions in no way related to the real merits of the matters in dispute, but upon questions of procedure. The cause for this situation is easily explained.

The adoption of codes has been under exclusive legislative control. Legislators have prescribed the details for conducting litigation. They have been earnest and conscientious in providing rules for this purpose, but not being trained in the niceties of the law these rules are far from satisfactory. Trial courts are bound to observe them, even though they cause unnecessary delay, and are not in the interest of justice. They have been prescribed by the department of government which has authority to formulate them. If they are violated, reversible error is often committed and thus repeated trials of the same case causes delay and increases the expense which must be borne by litigants. In brief, it may be said that the rules of procedure generally prescribed in the various code systems have perpetuated many of the objectionable features of the common-law procedure which it was intended to avoid. It must, therefore, be patent, if we are correct in

assuming that faulty procedure is the radical defect of our system, it should be remedied, not merely for the sake of uniformity, but rather with the object of improving the method of conducting judicial proceedings. In other words, rules of procedure should be adopted which will enable trial courts to expeditiously and economically dispose of litigation on its merits, simplify the procedure on review by appellate courts, and yet fully present every question of merit involved.

The next question is, Shall courts or legislatures frame such rules? They should be formulated by experts, trained in the law, and hence, with the aid of the Bar, by the courts, if authority for this purpose can be conferred. It is exclusively a legislative function to prescribe the jurisdiction of courts, character of actions, who shall be the parties, and all matters regulating the general authority of the judicial department. How the courts shall perform the duties thus imposed is also a legislative function which, however, may be delegated if not exclusive.

There are many statutes creating boards and commissions whose duties and powers are prescribed and defined, but vesting them with authority to provide by rules the method of discharging their duties. Such statutes have been frequently attacked upon the ground that the power to make rules was a delegation of authority to legislate, which the fundamental law inhibited, but rarely with success. Under our system of government, the general authority of the courts, except as limited by constitutional provisions, is and should be under the exclusive control of the legislative department, but this does not include exclusive power to prescribe the details of conducting litigation. The latter is necessarily within the power of the courts to regulate, unless the legislative department elects to exercise it. Assuming that this premise is correct, the legislative department of each state should clothe its court of last resort with authority to frame rules of practice and procedure. Such rules must be limited to directing how judicial proceedings shall be conducted as distinguished from the jurisdiction and general authority prescribed by the legislative department. The latter does not thereby seemingly surrender any constitutional powers, but merely authorizes the judicial department to perform its duties by rules of procedure it is empowered to adopt, which will enable it to better discharge its

functions as one of the co-ordinate branches of the government. This plan offers an opportunity to remove in a great measure the faults of the civil code system, which, when thus supplemented, will aid trial and appellate courts to more expeditiously and economically discharge their judicial functions.

Colorado, at the instance of the State Bar Association of that state, has made a move in this direction. In 1913, the General Assembly adopted the following statute:

"The Supreme Court shall prescribe rules of practice and procedure in all courts of record and may change or rescind the same. Such rules shall supersede any statute in conflict therewith. Inferior courts of record may adopt rules not in conflict with such rules or with statute."

By virtue of the authority conferred the supreme court prescribed rules of practice and procedure. As might be expected of the first venture into a new field, they are not entirely satisfactory to the Bar or court, and at the last meeting of the State Bar Association, its president was directed to appoint a committee to confer with the court on the subject of amending and possibly repealing some of the rules.

This serves to illustrate the facility with which rules adopted under such a statutory provision can be changed, if found impracticable or burdensome. Possibly it may be of interest to briefly call attention to some of the rules the court adopted under the authority conferred by the General Assembly.

It is sometimes difficult, even for counsel, to determine from the pleadings what the issues of fact may be, and thus time is taken in introducing evidence which may not be necessary. To meet this situation it was provided that when the issues of fact are not clearly defined by the pleadings, the parties before trial, on motion of either or by order of the court, may be required to prepare, sign and file a statement defining such issues.

Upon motion for a new trial, it may be made to appear that error occurred in the admission or rejection of testimony, or in the giving of instructions as to a fact in issue to the prejudice of the party filing such motion, but that all other issues were properly submitted to the jury. In these circumstances it was provided by rule, that upon motion for a new trial, the court may, when practicable, order a retrial of such questions of fact with respect to which it appears error was committed, without disturbing those

properly established. This course, when it can be followed without prejudice to either party, expedites the second trial and materially lessens the expense.

By virtue of particular code provisions and rulings of the supreme court thereon, all that was necessary in order to have an instruction reviewed was to note an objection and exception thereto. This practice was of no assistance to the trial judge. It in no manner aided him in correcting errors he may have committed in formulating his instructions. It operated as a mere drag-net, which counsel cast out at random to draw in at leisure and examine for results, long after the time the errors alleged to have been committed caused the mischief, of which he subsequently complains on review, that might have been avoided had he specifically pointed out wherein an instruction was erroneous. It was unfair to the trial court, as well as litigants, and often compelled the reversal of a judgment which might not have been different had the instruction been correct. To prevent these results it was provided by rule that the trial judge should afford respective counsel reasonable opportunity to examine proposed instructions and present objections thereto before given to the jury; that these objections should specify the particulars wherein an instruction was defective or not correct, and on motion for new trial or on review by the supreme court, only the objections so specified could be considered.

Rules of practice and procedure need only be varied to meet peculiar local conditions in the respective states. Except in these respects they can be substantially uniform. The plan proposed appears to be feasible. The authority to carry it out can be conferred by legislative action. There is no fundamental legal objection to interfere, and aided by the general demand for reform in practice and procedure a united effort by the Bench and Bar ought to be able to bring it about within the limits suggested.

The Chairman:

We have this question now open for general discussion. As you will note on the program, there is a rule that each speaker will be limited to seven minutes. A word before we open this matter may be helpful along this line—there are people here, appointed as representatives of courts of last resort, where the judges themselves are unable to be here—they are entitled to talk if they so

desire, and if I hear no objection, I will consider that any person who has served as a judge, or who is here as a representative of one of those courts, will be entitled to discuss this question, if he so desires. There are one or two people I know who are not now serving on the Bench, but who have served, and who have given special attention and study to this subject in the states from which they come. The question is now open for discussion.

Judge Jacob Trieber, of the United States District Court of Arkansas:

To have a uniform code practice throughout all the states of this union is the highest ideal of every lawyer, but how can it be accomplished? To permit the Supreme Court of the United States to make rules to govern the practice in the course of proceedings on the law side of the national courts, and thereby repeal the Conformity Act enacted by Congress in 1872, which adopted the code practice of the state in which the court is held, would simply result, so far as lawyers practising in the two courts are concerned, in having to adapt themselves to two different codes of practice, something which it was sought to avoid by the Conformity Act of 1872. It may be said that if the Supreme Court would adopt a liberal code practice, simplifying the present practice, that the states would immediately adopt it. I very much doubt it. I am not familiar with the legislatures of many of the states, but I am somewhat familiar with the legislature of my own state, and I doubt whether it would do so, as the lawyers are now familiar with our practice, and would be slow to consent to a radical change. I want to state that we have a good code of practice in the State of Arkansas; it is as simple as any can be. As Judge Caldwell, who was for years the presiding judge of the United States Circuit Court of Appeals for the Eighth Circuit, once said: "Under the code of practice of Arkansas, a trial is not a test of who is the best lawyer, but it simply means that when a man gets into court you cannot put him out until he has had a trial, and, if he has a good cause of action, until he gets a judgment." Now, let me explain to you something about our code. All you have to do to get into court is to file a paper with the clerk that recites the name of the plaintiff and the name of the defendant, and state why you think you ought to have relief. If the attorney for the defendant is not

satisfied with it, it requires him to educate the other lawyer and tell him how to prepare a complaint. All he can do is to require him to make it more specific, and point out in what respect, and if he does not hit it the first time, he continues until he gets a complaint to the satisfaction of the defendant.

Now, some lawyers thought they would get around it. They would answer without asking to make it more specific, and then they would object to the introduction of any evidence which was not raised by the issues, but the court promptly held that as there was another provision in the code which says that the pleadings may be amended at any time before the jury retires, to conform to the proof, any kind of proof within the allegations of the complaints is admissible.

There were some lawyers who thought they could get away with that, and decided that they would not ask to have the complaint amended, but would take the chance after verdict to have it set aside because the proof did not establish the issues raised by the pleadings. But the court said—the Supreme Court of the state—that under our code the plaintiff could have amended the complaint to conform to the proof, if his attention had been called to it, and the defendant having failed to do so, he cannot now be heard, but that the complaint will be treated as amended to conform to the proof, and that is the law of our state. We have a very simple code of practice.

Now, how many lawyers do you suppose would be willing to give up that practice for the purpose of adopting some new practice which might require them to familiarize themselves with a new code of practice?

But there is another thing. May we reasonably expect all the states to adopt a new code? The former equity rules of the Supreme Court were promulgated in 1842, and does anyone know of a single state adopting them? The new equity rules, which simplify the practice very much and expedite the trial of cases, were adopted three years ago, and if any state in this union has adopted them I have failed to hear of it.

There seems to be a difference of opinion among many federal judges as to what the new rules mean, and it may take fifteen years before the Supreme Court will construe them. Quite a discussion has been going on as to whether under the new equity

rules, evidence being taken orally, it is necessary to have a bill of exceptions in order to bring that evidence before the appellate court. Heretofore there was no bill of exceptions. Then, there are other questions which have arisen. One of the questions is, What effect is to be given to the findings of facts by the judge in a proceeding in equity? Heretofore the rule has been that the findings of facts made by the chancellor, while persuasive, they are not conclusive. Now, as the judge has the witness before him, and he sits as a sort of a jury, are his findings of facts going to be conclusive, or not; are they going to have the same effect as the findings of facts by a judge when a jury has been waived in an action at law?

Besides there are condition in each state which may require at the present time a difference in the practice. For these reasons I doubt very much whether rules of practice to be prepared by the Supreme Court of the United States would accomplish what its advocates hope for.

My suggestion would be for this Association to appoint a committee to prepare a uniform code of practice to be submitted to the states, as has been done, and with great success, in other matters. To recommend to the legislature of the state to authorize the Supreme Court of its state to prepare rules of practice for all the courts in that state, and I have no doubt that the judges of these courts, if the uniform practice law recommended by this Association will simplify the practice, will adopt it, with such changes as may be necessary to meet the conditions in that state.

Judge John B. Hanten, of South Dakota:

I can only speak about the practice of our state courts. In our state in the last four years we have simplified our practice to some extent. We have adopted the same rules for all the circuits. They were made by the Supreme Court, with the assistance of the State Bar, so our practice is uniform in the State of South Dakota in the trial courts, being the circuit and municipal courts. We have simplified our practice a great deal in the appellate court, so much so that now within three or four months we get a decision from the Supreme Court from and after the time the appeal is taken and filed. The most delay that we have today is in our trial courts and along these lines: First, to get the case tried;

second, to have the court try all the issues set forth in the pleadings; third, to get a decision if it is a court case; and, fourth, to get the record made up, either for a motion for a new trial or for appeal. In our municipal court of record cases are tried speedily, because we have a provision in the law providing that an attorney may be called in to try the case if the judge is disqualified or cannot try it. We are advocating today that if the judge has not time because of pressing business elsewhere in the circuit to try a case with a jury that a member of the Bar be appointed to try the case, who is not interested in the case and upon whom the attorneys may agree, or who may be appointed by the court, if there is no objection, the same as in a court matter, but who would try the case with the jury and dispose of it. This would do away with the delay numbered first. As to the second cause of delay, this comes about by the court trying the case eliminating or rejecting some issues that either one side or the other wants tried or made a part of the case, but which the court erroneously refuses to try. This, of course, is taken to the appellate court and a reversal is had and the case has to be tried again, and many times rejected issue or issues are the main part of the case. This causes delay, sometimes for years before the case is finally settled or terminated. It would seem that this could be remedied by trying the case on all the issues which are made up in the pleadings, and if the court feels that some of the issues are improperly injected into the case, then, besides the general verdict, a special finding could be requested to be made by the jury, and on this general verdict and the special findings the court could make judgment either on the general verdict or on the special findings, if found to be the law, and set aside the general verdict. This would give one trial to both parties in the trial court, it would end it there, and if either party was dissatisfied the case would go to the appellate court and there a trial *de novo* could be had, if wanted, and the matters in issue could be determined finally. This certainly would be a great saving of time, obviate repeated trials, determine the controversy or claims of both parties and do it within a reasonable time. As to the third cause of delay, it would seem that the trial court in a court of record could render a decision at the time the case was tried and after the argument had been made. The court knows more about

the case then than it will ever know about it thereafter. An untrained justice or common juror is obliged to determine the issues immediately after trial has closed, and it would appear that a trained and able court has no reason to defer his decision after a case has been submitted to him. If this were the rule, attorneys would speed up and prepare their cases before trial and present them to the court, and the result would be in most cases a correct determination of the facts and law in the case. Delay in court cases is the rule, so much so that courts and attorneys look for delay, expect it, and the case is not as well tried as it should be, and the general public becomes impatient and does not look upon the court as a proper method of determining controversies. Rights which a man has are not taken to courts because of the delay and the general respect for our judicial system is weakened. As to the fourth cause of delay, that is due principally to our inefficient system of reporting. This could easily be remedied by having two reporters instead of one. There should be at the close of the day, or at least by the next morning, a complete transcript of the court proceedings. It would be a help to the attorneys trying a long case, and at the close of the trial the transcript would be ready. Thus delay might be much removed, and the general public would respect the Bench and Bar and law to a greater extent, and such respect would be more deserved.

The Chairman :

I understand that Judge Rogers, of Colorado, has given a good deal of consideration to this subject, and we would be glad to hear from him.

Platt Rogers, of Colorado :

I don't speak on this subject as a judicial officer nor hardly as a practising attorney, because, in the latter aspect, I am not so actively engaged in the practice of the profession as formerly, but that very fact has given me the opportunity to investigate some of the questions concerning practice and procedure, which investigations I have tried to make of some value in the State of Colorado. The Bar Association of Colorado, through its Committee on Judicial Reform, recommended some thirty-odd measures to be submitted to the legislature, for the purpose of improving the code of procedure. I was a member of the Execu-

tive Committee of the Association at that time. The bills were very carefully drawn for the purpose of improving the practice and procedure. On that committee was one of the most practical members of the legislature of the state. He said that it was practically impossible to obtain consideration of so many measures at one session; that the most that could be done was to select some one, two or three measures that we considered of pressing importance, and put those measures before the legislature, and let the others await subsequent sessions. It occurred to me that this was a very crude way of providing for the practice and procedure by which the courts of the State of Colorado should be governed. I suggested to the committee that we were not going at the subject in the right way; that inherently the power to prescribe rules regulating practice and procedure rested in the courts, rested in the judiciary department of the state, and that while it might be true that, by virtue of its general control over the affairs of the state, the general assembly might enact rules regarding practice and procedure, that that was rather an inversion of power than an exercise of an original inherent right in the legislature. Acting upon that suggestion, the act which Judge Gabbert has read at this session was drafted and submitted to the legislature, and after a tremendous amount of effort we were able to get it enacted by that body. Now, let me say that the entire theory upon which we have acted in respect to this method of amending and curing the defects in the code of procedure is based upon what we consider to be the law of efficiency, which is a law which is supreme over every department of the government, supreme over the legislature, supreme over the judiciary department. It must strike every observer that the persons who can properly devise the ways and means by which justice shall be administered in a given state are a body selected with respect to their knowledge of the principles of law and the manner of their application. The legislature, while we may give it due credit as being the representative of the people, is, after all is said and done, a heterogeneous mass that looks after the affairs of the state in general, rather than after any department in particular. They may frame the laws for the government of the people of a substantive character, but when it comes down to the machinery of any

given department, particularly the judicial department, the legislature is, in fact, the least qualified in its makeup of any department to take care of so important a function, and, as we well know, when the legislature acts upon a matter of that kind, it is not done by virtue of the members of the legislature as a whole; it is because in the legislature, as in every other department of the government, we find a contingent of the legal profession that can give some form and substance to a matter of the importance of rules and regulations governing practice and procedure. Without the presence of members of the Bar in the legislature that body would be absolutely incompetent to prescribe rules and regulations for the government and procedure of the courts, so that in the very nature of things, according to the requirements of efficiency, that was not the body to which should be confined the making of these rules and regulations. As soon as this law was proposed, the first objection made was that it was a delegation of legislative authority, and the members of the Bar here would be amazed at the courage with which some of our distinguished lawyers in Colorado asserted that it was unquestionably a defiance of constitutional limitations; that it was a delegation of legislative power and that the legislature could not so delegate its power. But that matter was settled almost in the beginning of this federal government by Chief Justice Marshall, who, in passing upon the Act of 1773, which gave to the Supreme Court the power to formulate rules in equity cases, declared that the making of rules for the government of courts in the administration of justice is not legislative in its true nature, but is at the best but quasi-legislative; that in fact when the legislature permits the Supreme Court to formulate rules in the manner in which we proposed, it was not a delegation of authority, but it was the abdication for the time being of a power which the legislature might exercise if it saw fit, but that inherently the power originally rested with the Supreme Court to formulate these rules, or at least with the judicial department. Whether you start with the County Court or start with the Supreme Court, taken together, they simply combine and make that one great organization known as the Judicial Department. Our course in Colorado was adopted with reference to the doctrine of efficiency, which if ever called upon for action is called upon

for action today, and it was also intended to meet the growing demand of the people for greater expedition in the administration of justice. They know in a vague way what they want when they demand that there shall be reforms in the administration of justice, and knowing it only in this vague way, they have the vaguest remedies to set forth. It was because of these considerations that we suggested the specific measures by which efficiency, which hereafter must control this government as it has never controlled it before, should be applied to the administration of justice.

The Chairman:

Gentlemen, I don't feel like calling on each one of you by name, but we will be very glad to have you express your views on this question.

Judge Overton G. Ellis, of the Supreme Court of Washington:

Mr. Chairman, I have very little to say, except just to hark back. The question is "uniformity," not the different kinds of practice, but a simpler practice, and in touching upon that question, it seems to me that unless we are ready to say that some court or some legislature can and will say the last word on the subject of what is desirable, we are not yet ready to say that absolute uniformity is in itself desirable. Now, it is true that the diversity of practice, in the different courts, in the different jurisdictions and in the different states, is a thing that arouses a good deal of comment among people from other countries. It has been spoken of by judges and law-makers from other countries, but after all, in a democracy where everything is essentially a question of evolution, is it not somewhat desirable for every state to work out its own salvation, with fear and trembling? and some of the other states may take the best, and the result might be, after all, a gradual growing up of the efficiency to which Judge Rogers has referred. Unless, as I say, some court or legislature can say the last word, and unless all of us have confidence that it will, is absolute uniformity desirable? I am just throwing out these hints as things that this body ought to think about in approaching this question. Is uniformity absolutely desirable after all, in view of the progress that all of us hope to make toward the efficiency of our courts and the speediness with which courts must dispense with business?

The Chairman :

Gentlemen, is there anything further? Last year we printed the discussion and it was afterwards sent out in a pamphlet form, as most of you know. Now, it may be deemed desirable by the Executive Committee this year to do the same thing, if the Bar Association feel that they can stand the expense. Therefore, I think that everyone who has spoken this afternoon ought to give to the stenographer his full name and address, so that we can send the remarks, after they are written up, to that person for correction. Is there anything else before we adjourn that ought to be brought to the attention of this Section?

Judge Robinson, of West Virginia :

Mr. Chairman, this body meets, talks, and goes away. I simply inquire whether it would not be well for us now and then to take action or at least to drive a stake indicating just how far we went, or where we were when we stopped. I am not going to say that such a course is proper this afternoon as to the subject under consideration—it may be all right if we have simply opened the way for a further consideration of it, but I inquire whether or not it would not be well to formulate some process whereby this Judicial Section would speak out, not simply by the report of the stenographer, but would speak out in formal shape, by resolution or otherwise.

The Chairman :

Let me suggest this, Judge Robinson : there are some here who were at the Montreal meeting when we attempted to pass a resolution on this very same subject at that time, and there was a great diversity of opinion, and it was thought wise not to pass a resolution at that time.

Judge Robinson :

I believe I said I thought it was perhaps not time for direct action upon it, but my thought was, couldn't we have a committee of the body, or some plan formulated, whereby there would go out from the meeting some notice of what we believe.

The Chairman :

Why don't you make a motion, if you desire to do that, to refer that question to the Executive Committee for consideration.

Judge Robinson :

That is a good suggestion, and I move you, Mr. Chairman, that the Executive Committee be directed to bring in such a By-law or order of this body tending to an end whereby our views may be expressed, and the Executive Committee may provide committees of the body. All of the Bar Associations throughout the country have committees. I realize that this Judicial Section is merely a sub-division of the American Bar Association, but I see no reason why we could not have committees along the lines of judicial reform, along the line of professional ethics, say, and many other things that pertain to the judiciary and the administration of justice.

Judge Dietrich, of Idaho :

I am willing to second that motion, if I understand Judge Robinson's proposition, and that is, that it is merely to appoint a committee to consider such questions as have been discussed this afternoon, to consider and make recommendations for the action of the main organization, but if it is amended that these committees shall have authority to express what purports to be the sentiment of the organization, then I should—

The Chairman :

His motion was to refer the whole subject to the Executive Committee, of which you happen to be a member, to make a recommendation to the next meeting.

Judge Dietrich, of Idaho :

Then I second the motion.

Judge Perry :

If that is the motion, I have another serious objection to it— if this sub-committee or Executive Committee is to take action, I certainly think it ought not to be referred to make recommendations to a later meeting, but what I started out to say was this. I don't believe from this discussion that there is any great disagreement among the members here of this sub-organization. Now, if uniformity means, as Judge Dietrich says, that all of the courts are to make an effort to get some uniform rules, then we have probably started on a new array of technicalities which will

lead us into more difficulties than we have ever had, but if it means simplicity, if it means unification whereby a lawyer may go into court more nearly knowing what the pleadings ought to be and what the procedure will be in the case, if that is true, I don't think there is any disagreement among this body, but when it comes to the matter of adopting a resolution on uniformity, I think it is a matter we want to go into very much.

The Chairman :

Is there anything further along this line?

Judge Robinson, of West Virginia :

I would like to inquire what is the attitude of the body towards the Clayton Bill.

The Chairman :

We have a motion before us that is foreign to that. The motion is to refer to the Executive Committee, in order that they may formulate some action or recommend the necessary measure or measures or any recommendation that might be thought advisable on the subject.

Judge Robinson :

Of course, you will have to pardon me because I didn't understand that that was the situation.

The Chairman :

Is there any further discussion on this motion?

Judge Robinson :

Then I understand the motion to be that this matter is to be referred to a committee in order that they may formulate action or do whatever is feasible to try to formulate it and recommend some method.

Motion seconded, put and carried.

The Chairman :

On this question of the Clayton Bill, if you will pardon me a word before you continue the discussion, we had considerable discussion on this matter at Montreal and came to the conclusion then that on account of the diversity of opinion, it would be unwise to try to take action at that time.

Judge Dietrich:

I should oppose taking action on this question at this meeting before the question has been given to the organization. It is entirely foreign to the discussion which we have had and some of the judges have gone out under the presumption that no such resolution would be offered.

Judge McClellan, of Alabama:

I desire to move that the subject be continued for the further consideration of this Section at the next annual meeting.

The Chairman:

That the discussion shall go over until the next meeting?

Judge McClellan:

And the action.

Judge Dietrich:

Do you mean the subject itself—the discussion of the subject or the question of adopting it? Now, I have some views on adopting it that I have not expressed today because I thought it was entirely foreign. I understood that this meeting was to consider the question as to whether the court or the legislature should formulate rules, but I didn't assume that the Clayton Bill was indirectly involved in the question.

Judge McClellan:

My idea is to continue this subject now until the next annual meeting.

Motion was seconded, put and carried.

The Chairman:

Before adjourning I wish to give you as expressing the sentiment of each of us to our associates here a few lines from Chicago's beloved poet, the late Eugene Field:

"Here's hoping you'll all live one hundred years; yes! one hundred years,

And in all that time you'll shed no tears;

And! Here's hoping I'll live one hundred years less one day,

For I wouldn't want to be on earth when any of you had passed away."

On motion, the meeting adjourned *sine die*.

GAYLORD LEE CLARK,

Secretary.

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have said upon its jurisprudence—the science of the law; he should acquaint himself with the rules followed by courts and the principles involved therein. We wonder, when we read, why some of the people were so shortsighted in our early history as to demand in 1809 that the legislature of New Jersey should prohibit the citation of any case arising in any court outside of that state, and cause the passage of an act which forbade any law book published in England to be referred to in a law suit, or why Pennsylvania should have passed similar laws about the same time. It is difficult now to understand the view-point of the Kentucky legislature of 1808 when it proposed to prohibit the reading of any British decision or elementary work on law in court, a course which only through the arguments and eloquence of Henry Clay was so modified that the legislature limited the act to the exclusion of British decisions rendered since July, 1776. (37 *American Law Review*, p. 1; 3 *McMasters' History of the People of the U. S.*, p. 416 to 418.) Yet in a recent number of the *Harvard Law Review*, published in 1914, a judge of a court of one of our great states advises American lawyers against studying European philosophy of the law on the ground that it was so misleading that it might be harmful. Such a suggestion, it seems to me, is not dissimilar to that of a country justice of the peace in the state from which I come, who refused to permit a lawyer to read from Greenleaf on Evidence during a trial, because it was written by a man residing in another state. No nation and no people have a monopoly of knowledge of the great fundamental principles of law, any more than they have of the principles of truth.

The courts and the legal profession, as we all know, have been sharply criticised in recent years. Because of the dissatisfaction with the enforcement of law, radical changes have been proposed affecting the selection and working methods of the judiciary. The agitation in favor of judicial recall and the recall of decisions is doubtless less general than it was a year or two since. The report of the committee on that special subject to the Bar Association at this meeting insists that this agitation is already discredited. Even though it be true that such agitation is declining, still it is especially important that the members of this Section continue to give careful consideration to the questions that have

been discussed in the last decade, by the courts. Will not a thorough study by our profession, at a time when it can be attended with much better results, might be made in the heat of great governmental innovations, made during which are often not well thought out.

I wish to call attention to two or three most serious considerations by lawyers of the courts, now long established in the minds of the legislative bodies unconstitutional in our system of government. Most lawyers have agreed with Rufus Choate that the principle, by written constitutions and the separation of powers, is one of the greatest achievements the world has ever known. (Dillon, *Laws of England and America*, p. 199.) And the supremacy on questions of this kind over other nations. Germany and Switzerland have features of our federal system, but it is not advisable to give their courts any such powers. In a recent discussion in the English Parliament on the Bill for Ireland, it was suggested that a Bill of Rights might be inserted as a part of the Bill. This suggestion was strongly opposed, in the Parliamentary debates and in the publication of the American system into the minds of the courts with litigation; that the courts with such an enactment by attack on the grounds; that the courts in Ireland would become the supreme legislative body in social and economic life; that judges would exercise a kind of function, and that anyone who would exercise by the judges of America an enactment would erect one of the most serious considerations. (Cohen in July, 1915, *International Law*.) If written constitutions are to be of any use, must not some one branch of the government be given the constitutionality of legislation? I am

great English constitutional writer, Professor Dicey, that the American system which makes "the judges the guardians of the constitution provides the only adequate safeguard which has hitherto been invented against unconstitutional legislation." (Dicey's *Law of the Constitution*, 7th ed. p. 133.) Why cannot the authority of the courts on this question be safeguarded or brought within narrower limits, without depriving them of that power? The courts frequently lay down the rule that a law should not be declared unconstitutional, except when it is so clearly and manifestly unconstitutional that all intelligent minds will reach the same conclusion with reference thereto. Is it not self-evident that this rule is disregarded when a law is declared unconstitutional by a divided court with a majority of one? Why not provide that a law should not be held unconstitutional by a court of last resort, except when some special number—above a bare majority of the court, concurred in such holding? By a recent amendment to the Ohio Constitution, it is provided that no law shall be held unconstitutional by the Supreme Court "without the concurrence at least of all but one of the judges, except in the affirmance of a judgment of the Court of Appeals declaring a law unconstitutional and void." (Graves' *Constitution of Ohio*, p. 18.) Surely no great evil can grow out of a provision of that character. That great thinker and law writer, the late James B. Thayer, in his biography of Chief Justice Marshall, has called our attention to some of the evils growing out of the courts, without careful consideration, declaring so many laws unconstitutional. He says, "the tendency of a common and easy resort to this great function, now lamentably too common, is to dwarf the political capacity of the people and to deaden its sense of moral responsibility. It is no light thing to do that. What can be done? It is the courts that can do most to cure the evil, and the opportunity is a very great one. Let them resolutely adhere to first principles. Let them consider how narrow is the function which the constitutions have conferred on them—the office merely of deciding litigated cases; how large, therefore, is the duty intrusted to others, and above all to the legislature. It is that body which is charged, primarily, with the duty of judging of the constitutionality of its work. . . . The judiciary today, in dealing with the acts of their co-ordinate

legislators owe to the country no greater or else that of keeping their hands off these acts wherever to do it. . . . There will still remain to the judicial field for the determinations of this remarkable which our American law has so much reason (Thayer's *John Marshall*, pp. 107-110.)

Another question that may well be studied is the the executive, legislative and judicial functions. between the three branches of government cannot clear, and it will often be found difficult to set arbitrary lines in actual practice. The functions frequently overlap the others. Largely because of the difficulties arising from this situation, in many grown up in recent years a movement in favor of the tion of governmental affairs by boards or commissions many matters of a public nature, requiring sum be better left to boards, commissions and the executive government than to courts, but whether in the by those instrumentalities will be beneficial can with certainty. A study of the decisions will show of last resort have not been prejudiced against, or to, this new class of legislation. It is manifest to who has given the subject thought, that the rapid of these boards and commissions in state and nation is adding very greatly to the public expense. this added expense of government is in itself so it may well cause a full consideration of the fundar of government before the scope of this character work is much further broadened or extended.

Perhaps more vital to the members of the judicial questions I have discussed is that of so-called judicial That phrase is often used with a sense of reproach as if it meant "judicial usurpation." (Thayer, *Review*, p. 172.) Some have argued that the make the law, that it is founded on custom; some simply interpret the law; others say that some and some judge-made; while others contend that judge-made law." As early as 1713 Hale, in his *Common Law*, said "The decisions of Courts c

make a law properly so-called. . . . Yet they have great weight and authority in explaining, declaring and publishing what the law of this Kingdom is." (Hale's History of the Common Law, 4th ed. p. 67.) Blackstone said that judicial decisions are "the principal and most authoritative evidence that can be given of the existence of such a custom as shall form a part of the common law." (I Blackstone's Commentaries, p. 69.) In *Swift vs. Tyson*, 16 Peters 1, speaking through Mr. Justice Story, our Federal Supreme Court said "In the ordinary use of language it would hardly be contended that the decisions of courts constitute laws. They are at most only evidence of what the laws are, and are not, of themselves, laws." Most judges from the earliest record we have on this question down to the present time have declared that the courts neither made nor could make new law in deciding cases which came before them for adjudication. (I Hammond's Blackstone's Commentaries, p. 214.) To the contrary, many legal writers—including Holland in England and Pomeroy in our own country—have agreed with Prof. Gray that the judges practically make the law in deciding every case. Austin speaks of the "childish fiction" used by the judges in stating that "judiciary or common law is not made by them." (Austin Lectures on Jurisprudence, Vol. 2, p. 655.)

Judges, notwithstanding they deny making the law, admit that law grows by the process of judicial decision. Coke said that the condition of human law is ever changing. Chief Justice Shaw stated that it was one of the great merits of the common law that instead of a series of detailed practical rules, established by positive provisions and adapted to the precise circumstances of particular cases, the common law consisted of a few comprehensive principles, founded on reason, natural justice and public policy, modified and adapted to all the particular circumstances of each case. (*Norway Plains Co. vs. Boston & Main R. R. Co.*, 67 Mass. 263.) The common law has always been able to adapt and adjust itself to every new condition and situation. Justice Holmes in discussing this question said: "We do not forget the continuous process of developing the law that goes on through the courts, in the form of deduction, or deny that in a clear case it might be possible even to break away from a line of decisions in favor of some rule generally admitted to be based upon a

deeper insight into the present wants of society; improvements made by the courts are made, almost very slow degrees and by very short steps. The is not to change but to work out the principles already by the practices of the past." (*Stack vs. N. Y. & R. Co.*, 177 Mass. 155, 158.)

It is manifest that on this subject of the making of the judiciary, the difference of opinion between writers is, to a large extent, more apparent than real. It is that law grows by its judicial application, but that gradual changes thus made in no true sense constitute legislation; while the writers holding different views change in the law, whether by courts or legislatures is legislation. The practice, says Dicey, of judges in case "in accordance with the principle or supposition which governed a former case leads, inevitably to the formation by the courts of fixed rules for decision effect laws,"—that is, judicial legislation. (*Dicey's Constitution*, 7th ed., p. 58.) The fundamental theory of law is to search out and establish, so certain general principles of justice known to all and applying not only as a rule in particular cases, but as a rule for the future. The forming of such general rules, so as to secure justice in the greatest number of cases, constitutes the science of jurisprudence. (Justice Buller, *Story's Miscellany*, p. 208; *Phelps Orations and Essays*, p. 96.) It is said (*Rex vs. Bembridge*, 3 Douglas Reps. 327, 328) that law does not consist of particular cases but of general principles which are illustrated and explained by these cases. Fundamental principles of justice and right have always the same application; their application must necessarily vary with each case that arises in litigation. Some one has said that the difference between law made by the courts and by legislatures is that by the first the changes are by short steps, and the changes may be and often are by much longer steps; but they cannot override statute law and from the very nature of things they should not ordinarily override a long series of precedents on any given subject. Therefore, in certain branches

there is often little opportunity for changes by the judiciary. (Dicey, *Law and Opinion in England*, Appendix, p. 486.)

The decision of a special case by a principle already laid down is a process of reasoning from the general to the particular. New applications of old principles are continually arising in the trial of law suits. The only restraint upon judicial power is that the judges must keep within the limits of existing law. Under any law there must be a great amount of discretionary power left to them. But a judge may not be permitted to decide according to his own will or caprice, because then his decisions are his personal arbitrary edicts and nothing more. If honest, they may be according to his own untrained notions of justice; if dishonest, such a course results in the worst of tyranny. The wisdom of the law, based on the learning and experience of centuries, is greater than the wisdom of any individual. (Lord Hale in *Dillon's Laws and Jurisprudence of England and America*, p. 172, note.)

To the judge driven with the work of considering and deciding cases, with all their multiplicity of details, and many of them far-reaching in their results, few things, it seems to me, can be as helpful as to pause, now and then, in the daily routine, and study what has been said by such men as Prof. Gray in his lecture on the "Nature and Sources of the Law"; Judge Dillon in "The Laws and Jurisprudence of England and America"; Thayer's "Legal Essays"; James C. Carter on "The Law; Its Origin, Growth and Functions"; Dicey's "Law and Opinion in England"; Pollock's "Essays on Jurisprudence and Ethics"; Prof. Hammond's notes on "Blackstone's Commentaries," or to read some of the learned and searching articles in the leading law magazines of today. Judges who without prejudice approach the study of these subjects cannot escape the conclusion that the courts—in many cases—necessarily "make the law," as that term is ordinarily understood. Even in the work of interpreting statutes—and especially when extending them to cases without their letter, but within their reason and spirit—the judges actually, though indirectly, are engaged in a certain kind of judicial legislation. One of the great lawyers of this country, named by President Cleveland for a place on the Supreme Bench of the United States, gave an address a few years ago in which he maintained with much force that judge-made law was far superior

to that enacted by ordinary legislative bodies. (William B. Hornblower, *Columbia Law Review*, p. 453.) A prominent legal authority has stated that a large part, and the best part, of the law of England is judge-made law—consisting of rules collected from the judgments of the courts. (Dicey, *Law and Opinion in England*, p. 359.) President Wilson, in his address of welcome to the American Bar Association at Washington, last fall, said: "There was a time when the thoughtful eye of the judge rested upon the changes of social circumstances and almost palpably saw the law arise out of human life. Have we got to a time when the only way to change law is by statute? The changing of law by statute seems to me like mending a garment by a patch, whereas the law should grow by the life that is in it, and not by the life that is outside of it."

Lawyers are familiar with the fact that the establishment of equity practice and jurisprudence was largely the work of the courts and not of Parliament or legislature. Legal historians assert that Lord Mansfield, with wonderful far-sightedness, applied the customs and rules of business and trade to the building up of the great body of commercial law. In the same way Judge Story is credited with creating the admiralty law of this country. The courts of England before the nineteenth century gradually worked into their decisions the principle that an employer was liable to a third person for damage inflicted upon him through the negligence of the employer's servant, and in the same manner they have in more recent years limited the extent of the employer's liability by the "fellow servant" doctrine. Recently the courts have created a great body of insurance law by applying to the new circumstances surrounding the different classes of insurance, the legal principles embodied for generations in the common law. A few years since, in one of the leading law reviews, a lawyer in active criminal practice argued at length that the courts had made the law of criminal conspiracy (37 *American Law Review*, p. 33) and had entirely overthrown, or at least superseded, the common law as to that crime.

Every person who has served as a member of a court of last resort will bear witness to the fact that on the decision of most important questions, the members of those courts frequently

divide, not because the general principles of the law are not well known and agreed upon by them, but because they differ in the application of those principles. These differences are found not only in applying the principles of the common law to the facts of a given case, but in construing statutes and constitutions. Prof. Thayer has said "Courts often have to recognize, especially in the region of constitutional law, that there is more than one reasonable and allowable interpretation of a thing." (Thayer's Legal Essays, p. 150.) Many of the decisions that have had the most far-reaching effect upon the law of this and other countries have been handed down by a divided court. Among such cases in England are: *Egerton vs. Brownlow*, 4 H. of L. Cases, p. 1, involving vested and contingent interests; *Jefferys vs. Boosey*, 4 H. of L. Cases, p. 815, as to copyrights; and *Allen vs. Flood*, Law Reports, Appeal Cases (1898), p. 1, involving the right of courts to interfere in labor disputes. Among such cases decided by the Supreme Court of this country, we need only call attention to the *Dartmouth College case*, 17 U. S. 517, in which it was held that a charter of a college was a contract and that no state could pass a law impairing rights thereunder; the "*Dred Scott*" case, 60 U. S. 393, discussing at length the rights of the colored race under the Constitution; the two *Legal Tender cases*, *Hepburn vs. Griswold*, 75 U. S. 603; *Knox vs. Lee*, 79 U. S. 457—the former holding that the legal tender act was unconstitutional, the latter—made after the personnel of the court had changed by the appointment of two new judges—reversing the former decision and holding the law constitutional; the *Income Tax case* (*Pollock vs. Farmer's Loan & Trust Co.*, 158 U. S. 601) in which it was held that the United States Government could not levy that tax on the income of real or personal property, as it was a direct tax within the meaning of the Constitution.

I have examined the decisions rendered in recent years by the courts of last resort of most of the states of the Union and find the same situation in all of them when they were dealing with some of the most important public questions that have come before such courts. I have here a list of some of these cases, but time will not permit a detailed reference. Many of them involve the construction of the constitution of the particular state in which the decision was rendered, and in most of them some public

question has been brought up for decision which made it necessary for the court to pass upon the question of due process of law, public policy or the police power of the state. Nor should it be any matter of surprise that the courts have divided on such questions, when everyone knows that the legal limits as to due process of law, police power and the public policy of the state are not, and cannot be, clearly defined by the decisions of any court or the statutes of any legislative body.

Law has never been, is not, and cannot be, an exact science. We need to attain, so far as possible, certainty in the law, but necessarily—with changing conditions—the law must also be elastic in order to fit those conditions. No man or body of men, by statute or decision, can anticipate all the needs of the future. One of the greatest merits of our Federal Constitution, wherein our forefathers builded better than they knew, is that it is so well fitted by its general terms to meet the needs of a great people under all circumstances and conditions. (Thayer's *Legal Essays*, p. 159.)

The sooner lawyers and judges recognize that, by whatever name that process is called, law is developed through judicial decisions, the courts being aided by the arguments of counsel and of text-book writers, the better it will be for our profession and for the administration of justice. The members of this organization cannot afford to be prejudiced against the study of jurisprudence because now and then it is found that a self-styled jurist, a teacher or writer on the subject of law, has made himself, as Dicey has stated "master of no one legal system in particular, whilst his boasted science consists in the enunciation of platitudes, which if they ought, as he insists to be law everywhere cannot in fact be shown to be law anywhere." (5 *Law Magazine and Review*, 4th Series, p. 382.) For anyone who wishes to be something more than a mere servile follower of forms, bound down by fine drawn technicalities, must become familiar with the jurisprudence, at least of the common law, and if possible of the civil law also. Nothing, as Gray has said, is more to be desired than that "judges and jurists should mould and guide the law to make it correspond to the needs of society . . . but judges and jurists are men of their time and they should not set about consciously" to develop the law in any

particular subject or particular manner. (Gray, *Nature and Sources of Law*, p. 4.)

Even the most distinguished of our lawyers and judges are too apt to look down upon any resort in legal arguments to elementary principles of law. In the past too little attention has been given in our law schools to the scientific study of the fundamental principles upon which the law is based. I agree with the statement of one of our country's great practising lawyers, to whom I have already referred, that "to eulogize the law as one of the highest of human sciences, and yet neglect to inquire what kind of science it is . . . is an inconsistency" of which the legal profession should not be guilty.

I have assisted in a small way in the organization of this Section because of my belief that we could thereby cause the judges of our country to undertake a more careful study and consideration of the basic principles of the law—to cease to study only "case law" in deciding the litigation before them, and to remember that the principles they announced in a decision may have reference not only to that case, but may have a far-reaching influence in the decision of litigation arising many years in the future. An undue reliance on case law has a tendency to make the rule of law identical with the mere point cited in a given case and thus relieve the practitioner and the court from attempting to seek for underlying principles. (1 Hammond's *Blackstone's Commentaries*, p. 215.) Our judges should see to it that the criticism of the English Common Law made by Lord Coleridge, on his visit here thirty years ago, should not be applicable in this country; he said that the common law had become associated in the minds of most people "with narrow technicality and substantial injustice" . . . and with the belief that in its practice "the science of statement was far more important than the substance of the right, and that the rights of litigants themselves were comparatively unimportant unless they illustrated some obscure, interesting and subtle point." (Dillon's *Laws and Jurisprudence of England and America*, p. 185, note.) The judiciary of this country, assisted by the legal profession, can in a large measure so administer the law that it will conform to the genius of our institutions and satisfy the needs of justice.

Do not misunderstand me; I do not believe have generally failed in the performance of the the practice of the law has reached the low its critics assert. Law is and must be a growing with our growth, and expanding with rests largely with our profession to see to it that step with the changes of society and civilization studied the changes of the law in the past so that our profession has fairly borne its high in this regard. The judges have come from the profession. Fortunately for its honor, almost all the men placed in judicial office in the United States worthy of that great position, and have "borne hands the unstained sword of justice."

PROCEEDINGS

OF THE

COMPARATIVE LAW BUREAU

The Eighth Annual Meeting of the Comparative Law Bureau of the American Bar Association was held in the President's Suite, at the Hotel Utah, Salt Lake City, Utah, on Wednesday, August 18, 1915, at 1.40 P. M.

The Director, Simeon E. Baldwin, of Connecticut, presided.

The Treasurer's report was found to be in accord with the checks, orders and bank deposit book, all of which were produced by him, and his report was unanimously accepted.

The meeting was attended by many delegates of the corporate members and individuals, among whom was Professor William H. Taft, of New Haven, Connecticut, and Charles S. Lobingier, of the United States District Court, of Shanghai, China.

On motion, the reading of the minutes of the previous meeting, held October 20, 1914, was dispensed with, they appearing at length in the last Annual Report of the American Bar Association.

The Director then delivered his annual address.

(The address follows these minutes, page 886.)

The Secretary read the annual report made by the Board of Managers of the Bureau to the American Bar Association, including the Treasurer's Report, and both were, on motion, approved, received and ordered to be filed.

On motion, duly carried, the Director appointed as a Nomination Committee to nominate officers for the ensuing year, W. O. Hart, of Louisiana, and Charles S. Lobingier, of China. The committee, after retiring for consideration, returned and reported the following nominations:

For Director: Simeon E. Baldwin, of Connecticut.

For Secretary: Robert P. Shick, of Pennsylvania.

For Treasurer: Eugene C. Massie, of Virginia.

For Managers: Frederick W. Lehmann, of Missouri; Andrew A. Bruce, of North Dakota, William W. Smithers, of Pennsylvania, Roscoe Pound, of Massachusetts; John H. Wigmore, of Illinois.

These respective nominees were thereupon unanimously elected for the ensuing year.

The Secretary announced that at a meeting of the Board of Managers held immediately before the general meeting of the Bureau, Axel Teisen, of Pennsylvania, was elected Assistant Secretary.

The Secretary then submitted the report upon the work of the Bureau for the preceding year as follows:

To the Director and Managers of the Comparative Law Bureau:

Your Secretary begs leave to report that the Annual Report of the Comparative Law Bureau to the American Bar Association has appeared in the July number of the American Bar Association JOURNAL, at page 455, and that extra copies are to be had at the office of the Secretary of the American Bar Association.

As reported therein, the Swiss Civil Code is now being offered for sale by the Boston Book Company.

The translation of the Argentine Civil Code is now in the hands of the printer. Mr. W. W. Smithers has retained personal charge of the revision and correction of the text, and the preparation of the index. It is hoped that the book will be published in the early Fall.

The Civil Code of Peru is still in the hands of the Revision Committee and Mr. W. W. Smithers, and it is hoped that this will be published in the Fall.

Your Secretary has in hand the manuscript for the following:

1. *Las Siete Partidas*,
2. *The Laws of Ancient Castille*,
3. *The Criminal Code of Spain*.

These three last translations have been made by Mr. S. P. Scott, of Hillsboro, Ohio, and have been donated by him to the Bureau.

The Boston Book Company, the official publishers of the Bureau, have requested your Secretary and Director not to have these translations of the ancient Spanish laws printed and published until that company had been able to recoup itself for the expense in the publication of the three publications of the Bureau now offered for sale, viz.

- The Visigothic Code, by Scott;
- The German Civil Code, by Loewy;
- The Swiss Civil Code.

That company finds that the demand for these publications of your Bureau has been disappointingly small. However, it believes that the Swiss Code and the Argentinian and Peruvian Codes will be in more popular demand, and that the sale of them will be sufficient to repay it for the outlays thus far made in the printing and publication of these works. As soon as this is accomplished, the company is quite ready and willing to go forward with the printing and publishing of the above-mentioned translations of the ancient Spanish law, and carry out fully the terms of the contract between that company and your Bureau.

Your Secretary submits that the position taken by the Boston Book Company in respect to this manner of the performance of their contract, is a reasonable one, and suggests, therefore, that the action of the Secretary and Director in acceding to this request of the Boston Book Company be approved.

Your Secretary begs to call your attention to the meeting of the Second Pan-American Scientific Congress, to be held in Washington, from December 27, 1915, to January 8, 1916, and the invitation extended by the officers of that Congress to our Bureau to send a delegate and alternate to represent the Bureau at this important Congress of the American Republics.

The VI Section of that Congress is devoted to international law, public law, and jurisprudence. This is a second meeting of the Pan-American Scientific Congress, the first having been held in Santiago, Chile, in 1908, with the Chilean Government as host. It would seem to be eminently proper that the Bureau accept the invitation to be represented at this Congress, and your Secretary would suggest that perhaps your Director, and Mr. Phanor J. Eder, Chairman of the Latin-American Committee of the Editorial Staff of your Bureau would be the proper members of the Bureau to represent it at this Congress.

Your Secretary greatly regrets his inability to be present at the meeting of the Comparative Law Bureau and its managers, to be held at Salt Lake City this year, but hopes that the meeting will be a successful one, and that the work of the Bureau will continue to go forward as it has in the past.

Your Secretary perhaps should add, that hereafter the BULLETIN, as such, of the Comparative Law Bureau, will appear in the April numbers of the American Bar Association JOURNAL, with perhaps the insertion of a few special articles from time to time in the other numbers of the JOURNAL. By this arrangement, the expense of the Bureau will be nominal as the large expense of publication and postage will be thereby shifted from the Bureau to the American Bar Association proper.

Your Secretary would respectfully ask that the Board of Managers approve a request for an appropriation from the American

COMPARATIVE LAW BUREAU.

Bar Association of \$150 to cover the incidental and
of the Editorial Staff of the Comparative Law Bu

Respectfully submit

ROBERT P

The following remarks by way of comment upon
Report were made by the Chairman, the Director
of Louisiana :

The Chairman :

I would suggest that we supplement the Sec
with the statement that the Chairman of the Con
lication of the American Bar Association has r
from Egypt, asking where they can get a copy o
Code which is being published, so that the sale of
not be confined to this country alone.

Mr. Hart, of Louisiana :

Mr. Chairman, I desire to second that motion
that it is a very great honor which has come to
that the work which it is doing is extending so
that a great deal of interest is being taken in th
are doing not only in this country, but in foreig
it would seem to me that we should be greatly en
continuance of this work.

On motion, the Bureau adjourned.

W. THOMAS

Secret

ANNUAL ADDRESS

OF

SIMEON E. BALDWIN,

DIRECTOR OF THE BUREAU OF COMPARATIVE LAW.

The growing interest in Comparative Law in the United States is the frequent subject of observation in other countries. In the number of *Revista General de Legislación y Jurisprudencia* of Madrid, for December, 1914, it is remarked that the principal center of the impulse in that direction is this Bureau. It may be noted that of the 20 pages of this number of the Revista, 11 are devoted to the consideration of recent American publications on Comparative Law.

The legislation of the past year in Europe has been of less than usual volume, but more than usual importance.

UNWRITTEN CONSTITUTIONS IN TIME OF WAR.

The rapid and decisive manner in which private rights are there varied to meet exigencies created by war reminds us that written constitutions of government are not elements of strength when military activity becomes the main object of concern.

Great Britain found no difficulty in obtaining parliamentary authority (there the highest form of law), for seizing and operating any manufactories which the government might deem it necessary to appropriate for the better production of war material, and for virtually subjecting her people to service in such establishments, under stringent conditions. Under her "Defence of the Realm Act," an Order in Council was issued July 6, 1915, taking over the control of the sale and supply of intoxicating liquors in the principal districts, where such material is either being manufactured or shipped.

In May, 1915, the government requisitioned the entire supplies of meat from Australia and New Zealand, and the President of the Board of Trade announced to the House of Commons that what was not needed for the army and navy would be marketed

in such a way as to benefit private consumers by such increase in price as might otherwise result from imports. At the request of the ministry, the Canada, at the same time, laid an embargo on the most agricultural products to this country, except domestic consumption.

Germany, on January 21, 1915, took still more by confiscating provisions, and 10 days later took considerable stocks of copper, tin, aluminum, anti lead. They are to be inventoried and sequestered but may be re-delivered, under strict limitations, owners, for employment in manufacture of war materials absolutely necessary for the improvement or maintenance of business or that of others.

Orders having the force of "stay-laws" with regard to commercial paper have been issued by France and Belgium. That of Belgium is for the benefit of its territory now occupied by Germany.

Great Britain, by an Order in Council first issued March, 1915, changing Rule 28 of her Prize Court for requisitioning any neutral ship within her waters.

Since the promulgation of the German orders in Belgium, described in the July number of the Bar Association Journal, another measure of pressure has been added. Belgium, previous to its military occupation, had taken steps towards the establishment of a compulsory education in public schools. This Germany has actually done, requiring the attendance of all children over 6 years of age. Teachers, directors or inspectors who fail to further or bring about anti-German acts or statements in the course of the school exercises, may be prosecuted and punished by not exceeding a year's imprisonment.

An order issued July 9, 1915, forbids, under penalty, any Belgian between the ages of 16 and 40 to leave the country in order to take service under the government of any country with Germany.

In the same month Denmark passed a statute giving the justice discretionary power to prevent the newspaper comments reflecting unfavorably on the

powers, during the present wars. The penalties for any transgression will be inflicted by special government tribunals, as a matter of administrative law.

TREATIES.

The Carnegie Endowment for International Peace has decided to compile and publish a collection of the provisions of all treaties, heretofore made between any countries, containing agreements upon matters which, if universally assented to, would constitute international law.

In April, 1915, Viscount Bryce, formerly British Ambassador at Washington, was appointed to represent Great Britain on the commission to which, under the Anglo-American treaty of 1914, any issues between the two countries which might not yield to diplomatic adjustment would be submitted.

The Government of Venezuela has ratified a convention agreed on by Ecuador, Bolivia, Peru, Colombia and Venezuela, published in the *Gaceta Oficial* of March 5, 1915, concerning patents and trade-marks. It provides that whoever first obtains a patent or trade-mark in any one of the signatory states shall enjoy the rights of an inventor in the other states signing the convention, if within the maximum term of two years he registers his patent or trade-mark in the form prescribed by the laws of the country in which he desires protection. This being done, the duration of the patent or trade-mark is for such a term of years as may be fixed by the laws of the different signatory countries respectively. The application of improved methods, with the object of obtaining better results, is to be considered a new invention or discovery.

In order to supplement the Hague Convention as to the rules of naval warfare, Congress passed, last spring, a statute (approved March 4, 1915) to prevent the United States from being used by a belligerent as a base of military operations. This authorizes the President, in time of war, to withhold clearance from any vessel which he has reasonable cause to believe to be about to carry men or supplies to any warship, tender or supply-ship of any belligerent power, in violation of the obligations of the United States as a neutral nation.

The mixed court in Egypt came practically to an end in January, 1915, in consequence of the war. It was then prorogued

until February 1, 1916, and the appointments of the Austrian judges were not renewed.

The convention of Berne, adopted by 14 European states, *ad referendum*, in 1906, to restrict the hours of labor of women and children, was by its terms to go into effect when all the governments of the contracting parties had ratified it. The parliament gave the government of the King authority to ratify the convention "fully and entirely." Two of the states did not ratify it.

One of its provisions gave a penal sanction, and it was prosecuted under it in the Italian courts. (the Court of Cassation in Rome, First Section, *La Giustizia Penale*, II, 84, July 22, 1914) that was not in force, the ratification of every one of its provisions being indispensable, and the Act of Parliament was on that condition, but simply authorizing a ratification provision.

It is gratifying to observe the marked influence of the Conventions of 1899 and 1907 on the proceedings of the Hague Conferences, which were parties to them, during the present session.

Germany, for instance, in exercising her military rights over Belgium, by an official notification of November 1, 1914, directs the mode of collecting the revenues, customs, and duties, and sets forth that this is ordered in accordance with the Hague Convention of 1907, respecting the Laws and Customs of War on Land.

So in her note of March 14, 1915, written just before the sinking of the *Lusitania*, Germany stated to our government that any neutral ship should come to harm through the use of air craft and the claim be made that the injury was done in the German service, she would, if she denied her responsibility, unite in allowing the facts, so far as they were in dispute, to be decided by an international inquiry, under Part III, of the Hague Convention for the Pacific Settlement of International Disputes.

The international convention for promoting the safety of life at sea, agreed to by 13 powers in January, 1914, failed to come into effect in consequence of the wars in Europe. December 31, 1914, was the last day for exchanging ratifications, and

done at London. Great Britain adopted the regulations recommended, on August 10, 1914, to go into effect July 1, 1915.

INTERNATIONAL CONGRESSES.

The last important international congress held before the breaking out of the European wars was the Sixth International Congress' of Chambers of Commerce. This came together in Paris in June, 1914. It voted in favor of organizing in every country tribunals of arbitration to decide commercial questions between citizens of different nations.

RIGHTS OF ALIENS.

The Supreme Court of the United States has decided that under the Federal Employers' Liability Act, relatives can sue for damages from the death of an employee, although they may be aliens.¹

The Supreme Court of Iowa has held that the statute of that state, taxing aliens on inheritances fourfold as much as citizens, is not a violation of our treaty with Sweden, negotiated in 1783 and since renewed. That provides that Swedes living in any state may freely dispose of their property by will or otherwise, and their heirs shall receive the succession "even *ab intestato*," "these inheritances" to be exempted from all duty called "*droit de détraction*." The court took the ground that, if the treaty applied to inheritances by aliens from citizens, it was not intended to cover a tax for the privilege of succession.²

A law of Arizona, commonly known as the "Anti-Alien Employment Act," adopted by a large majority at the state election in November, 1914, as an initiative measure, provides that whenever any person or corporation statedly employs more than five persons, not less than 80% shall be American citizens. The British and Italian Ambassadors at Washington promptly filed protests against the measure. The United States District Court, in January, 1915, held it to be unconstitutional, as depriving aliens of a right to labor guaranteed by the Fourteenth Amend-

¹ McGovern vs. Philadelphia & Reading R. R. Co., 235 U. S., 389.

² In re Peterson's Estate, — Iowa, —; 151 Northwestern Rep. 66.

ment. On account of the gravity of the question held by three Circuit Judges. An injunction w bidding the enforcement of the statute by the stat

SALE OF LIQUOR.

On October 21, 1914, the Czar of Russia issued interest of a better military service, prohibiting tl (that is, distilled spirits), of which the govern enjoyed a profitable monopoly.

In France, for the same reason, a decree has bidding the licensing of any new wine shops, & the sale of absinthe.

Since July 1, 1913, Norway has had in force a taxation on beer. It is called the Progressive The principle upon which it rests is that the r should increase in proportion to the amount of al beer contains. It is a quarter of a cent a liter for two cents for lager or Pilsner, and four cents for beer can be sold of which alcohol constitutes over per cent; none is taxed which does not contain at quarter per cent.

The working of the law is said to have been sat

Louisiana allows beer containing not more than to be sold in territory where the sale of intoxic prohibited; but no other beverages can be sold roof.

Alabama has passed a statute making it a cri sell newspapers or magazines containing an ad intoxicating liquors kept for sale.

Iowa has prohibited, by a statute of 1913, to g July 1, 1916, the sale of intoxicating liquors with any state normal school, college or university.

SALE OF PATENT MEDICINES.

Central and South America have long been for the sale of proprietary medicines. Guatemala issued an order prohibiting, on and after Septe the sale of patent medicines that have not receiv

of the faculty of medicine and pharmacy of the City of Guatemala, as prescribed by a decree of February 20, 1902. This forbids the sale of any secret specifics or preservatives of unknown ingredients, regardless of name, except on such approval, to be given only after examination and recognition of its utility based on its composition and therapeutic effects.

INCOME TAXES IN CENTRAL AMERICA.

A law went into effect on April 30, 1915, in Salvador, imposing an income tax on every one having an annual income of over \$73. The normal tax, to use our American phrase, is 2% and covers all persons receiving from \$73 to \$180. Those receiving from \$180 to \$365 pay 3%; those receiving from \$365 to \$550 4%, and all receiving over \$550 5%.*

CHINA.

The new Chinese Criminal Code went into effect March 30, 1912. The old clan jurisdiction is largely altered and in the case of the more serious crimes the family is no longer punished for the offense of one of its members. The methods of punishment are modern. Exile has been largely superseded by imprisonment, which was formerly practically unknown. Corporal punishment also is discarded and money fines are now much in use. The principles of conditional liberation and suspension of sentence with a term of probation are recognized. The modern system of probation takes on a special Chinese character by making the family responsible for the released prisoner.

An association of American Lawyers, residing in the Far East, was formed in China in December, 1914. It takes the name of the Far Eastern Bar Association. Its objects, as stated in its constitution, are the better to maintain the dignity, honor and interest of the American legal profession in the Far East, to promote and improve the *morale*, efficiency and solidarity of its members, to enable them to keep in touch with the progress of judicial science and its promoters throughout the world and especially in America, to assist in the due administration of justice in the courts in which they practice, and to secure the general observ-

* Bulletin of the Pan American Union for June, 1915, 845.

ance of the American Bar Association's Canons of Legal Ethics. Its headquarters are to be at Shanghai.

The financial institutions of China have been made the subject of searching inquiry by one of our countrymen, President Frank J. Goodnow, of The Johns Hopkins University, who was called to that republic as Constitutional Adviser to the President. He finds "an almost complete absence in the minds of the Chinese people of the idea of individual rights." She is therefore unfitted at present to cultivate, what she greatly needs, "a greater spirit of industrial co-operation." The Western method, through the use of private corporations, rests on the existence of competent and impartial courts, coupled with a sense of responsibility on the part of the corporate officers to the shareholders. These conditions President Goodnow now finds absent.

LEGAL PROCEDURE.

A recent report to the New York State Bar Association shows strongly the growing tendency to leave matters of legal procedure to be regulated by the courts, from time to time, unfettered by any detailed codes. It was made by a committee headed by Ex-Chief Judge Cullen, and contains this recommendation:

"The Legislature should be directed to enact a short practice act approved by a majority of the judges of the Court of Appeals and of the justices of the Appellate Divisions, such act not to be thereafter amended except upon approval by a majority of the said judges and justices; the said judges and justices to have power to make or alter necessary procedural rules of court not inconsistent with the provisions of said practice act."

It has been held in North Carolina that under a statute requiring a summons to be read by the sheriff to the party summoned, his reading one over the telephone was not sufficient, even when coupled with proof that he recognized the voice of the party to whom it was thus read.⁴

EUGENICS.

In October, 1913, a Royal Commission on Venereal Diseases for the United Kingdom was appointed by the British Government. Its functions were limited so as to exclude any inquiry into the policy of governmental inspection of prostitutes. This

⁴ Lowman vs. Ballard. — N. C. —: 84 Southeastern Rep., 21.

had been tried in the "Contagious Diseases Act," which was repealed in 1886. The first report of the Commission, issued in 1914, shows that the witnesses coming before it were agreed that treatment for such diseases should be offered at all general hospitals.

The Education Committee of the London County Council reported in 1914 against making sex hygiene a class subject in elementary schools, but in favor of requiring instruction in it in normal schools for the training of teachers.

In Vermont a statute was passed in 1915, which took effect June 1, requiring physicians to report to a public official all cases treated by them of venereal disease. The name, sex, age and address of the patient must be given. Failure to report any case is punishable by a fine of not to exceed \$200.

The statute also provides for a fine or imprisonment as a penalty against any person who marries knowing that he is infected with venereal disease.

An Iowa statute for the sterilization of habitual criminals, passed in 1913, has been held unconstitutional by the United States District Court.

This law provided that the State Board of Parole should direct, after an *ex parte* and private hearing, the operation of vasectomy upon a prisoner who had been twice convicted of a felony. It applied to persons convicted before the passage of the act. The district judge did not regard it as an *ex post facto* law, but was of opinion that it presented a case of cruel and unusual punishment, was an Act of Attainder, and for want of any notice and hearing was a denial of due process of law. The circuit judge who also sat in the case, concurred on the last point, waiving the consideration of the others.*

DIVORCE.

The Act of Parliament, induced by the report of the English Royal Commission on Marriage and Divorce, to give the poor a better chance to get judicial relief, by cheapening legal procedure, went into effect in June, 1914. Out of the first 900 cases brought under its provisions, almost one-half were petitions for divorce.*

* *Davis vs. Barry*, 216 Fed. Rep., 413.

* Report for 1914 of the National League for the Protection of the Family, 10.

CHANGES IN STATE AND CITY GOVERNMENTS BY

The death penalty was abolished in Oregon last constitutional amendment. The total vote was over the majority for the amendment was only 157.

Under the system of the referendum, 29 measures submitted to the people at the same time, all of which

Ten propositions for amendments to the Wisconsin were defeated at the polls by large majorities in 1914. These included the establishment of the referendum, the recall of officials and the extension by the state.

Missouri, in November, 1914, on a referendum abolished a "full crew" law which had been passed by the legislature, at the instance of the railway brotherhoods.

St. Louis, on June 30, 1914, under the Home Rule Amendment, adopted a new charter providing for the initiative, the referendum, the recall, civil service, merit system, and public ownership of public utilities.

In August, 1914, Cleveland, Ohio, by a referendum refused to repeal a provision of its charter for the use of a preferential ballot. The measure was brought to the people on the initiative of the Socialist party.¹

The courts have decided that a contract to organize a campaign to secure a recall, under which the committee of the party making such an engagement concealed, is against public policy and void.²

THE DIRECT PRIMARY.

During 1915, four more states have adopted the direct primary. In two states, the dominant principle is the same. In only four is the principle now totally new.

INTERNATIONAL LAW.

It is a sign of the movement towards the unification of international law for all the American nations that the American Society of International Law postponed its annual meeting.

¹ Am. Political Science Review, VIII, 642.

² *Stirtan vs. Blethen*, — Wash., —; 139 Pac. Rep.

³ Rhode Island, Connecticut, New Mexico and Utah.

year from April to December, when it is to convene at Washington, and share in the proceedings of the Second Pan-American Scientific Congress," which meets there from December 27, 1915, to January 8, 1916.

The first session of the American Institute of International Law will be held in connection with the Congress. This is to be made up of representatives from every American nation.

The American literature of international law will be soon enriched by a compilation, suitably annotated, of all Chief Justice Marshall's opinions in cases involving questions founded upon it.

This is to be published by the Clarendon Press of Oxford, on the initiative of the Carnegie Endowment for International Peace. The influences of the endowment in respect to the orderly development and general spread of uniform rules of international law, public and private, although sadly hampered by the wars of the last year have been quite considerable. Among them may be mentioned its grants of subventions to several of the European magazines devoted to the study and explication of the law of nations; and to the Institute of International Law. It is sowing seed on ground now rough, but from which a harvest will ultimately come.

¹⁰ Am. Political Science Review, IX, 308.

PROCEEDINGS
OF THE
TWENTY-FIFTH ANNUAL MEETING
OF
The National Conference
Commissioners on Uniform State
Laws
HELD AT
SALT LAKE CITY, UTAH,
August 10, 11, 12, 13, 14 and 16, 1915.

OFFICERS OF THE CONFERENCE
1915-1916.

WILLIAM H. STAAKE, *President*,
648 City Hall, Philadelphia, Pa.

NATHAN WILLIAM MACCHESNEY, *Vice-President*,
30 N. La Salle St., Chicago, Ill.

THOMAS A. JENCKES, *Treasurer*,
Turks Head Building, Providence, R. I.

GEORGE B. YOUNG, *Secretary*,
Newport, Vermont.

SECRETARY'S MEMORANDUM.

The National Conference of Commissioners on Uniform State Laws is the organization effected by commissioners from the various states for the promotion of uniformity in the different states on all subjects where uniformity is desirable and practicable.

The first meeting of the Conference was held in three days, beginning August 24, 1892. The twenty-fifth meeting was held in Salt Lake City, Utah, August 10-16, 1915. During this meeting 51 commissioners representing 35 jurisdictions were present. Among the jurisdictions represented were:

the Philippine Islands and Porto Rico, Alaska and Texas, Washington and Massachusetts.

A complete list of the commissioners of the several states and of the standing committees of the National Conference for the current year immediately follow this memorandum.

The twenty-fifth annual meeting was largely devoted to the consideration of acts to make uniform:

First: The law of business corporations.

Second: The law of partnership with contributing members.

Third: The law relating to the Torrens system of land registration.

Fourth: The law relating to the extradition of lunatics.

Fifth: The law relating to the probate of foreign probated wills.

Sixth: The law relating to the use of the flag.

Seventh: A thorough revision of the constitution and by-laws of the National Conference.

Reports of various other standing and special committees were considered. Acts relating to the law of business corporations, partnership with contributing members, insurance, extradition of lunatics, and a uniform short form of deed were considered and recommitted to their respective committees for further action.

The following acts were adopted, approved and recommended to the various states for adoption, after having been revised as to formality and technical defects by their respective committees in accordance with the votes herein contained approving the same, viz.:

The Uniform Land Registration Act.

The Uniform Foreign Probate Act.

The Uniform Flag Law.

The acts which have previously been adopted, approved and recommended to the states for adoption are tabulated in the Secretary's Report, page 912 of this volume, together with the various jurisdictions in which the same have been adopted.

Under the new constitution it is made the duty of the commissioners from each state to organize by the election of a chairman and secretary so that communications between the state commissions and the National Conference may be had by corres-

pondence with the secretary of the and earnestly urged that the com take early action to carry out this

The work of the National Conference lacks of sufficient funds. The report urges all commissioners to seek appropriation for the work of the reasonable sum (at least two hundred thousand dollars) in order that more effective action be taken at the National Conference to promote uniform legislation is here emphasized.

The commissioners in every jurisdiction are urged to use their power to secure the adoption of the uniform acts approved by the conference which have already been adopted in their respective jurisdictions.

Printed copies of all the acts of the National Conference are available and can be obtained from the Secretary. These acts can be supplied to the members of the conference at a compensation.

Complete copies of the Proceedings of the National Conference had on application to the Secretary. Copies of some of the earlier meetings of the conference are also available.

LIST OF
COMMISSIONERS ON UNIFORM STATE LAWS.
1915-1916.

- ALABAMA.**—Ray Rushton, Montgomery; T. M. Stevens, Mobile; W. C. Davis, Jasper; F. G. Bromberg, 72 St. Francis St., Mobile.
- ALASKA.**—Royal A. Gunnison, 101 Decker Bldg., Juneau; George B. Grigsby, Nome; Fred M. Brown, Valdez.
- ARIZONA.**—W. B. Cleary, Bisbee; A. A. Worsley, Tucson; H. A. Davis, Phoenix.
- ARKANSAS.**—John M. Moore, Moore & Turner Bldg., Little Rock; Frank Pace, Little Rock; Ashley Cockrill, Southern Trust Bldg., Little Rock; Joseph M. Hill, Fort Smith; Nathan B. Williams, Fayetteville, also Southern Bldg., Washington, D. C.
- CALIFORNIA.**—Gurney E. Newlin, 718 Title Insurance Bldg., Los Angeles; Bradner W. Lee, Los Angeles; Fred H. Lindley, San Diego; Joseph Scott, Los Angeles; W. P. Butcher, Santa Barbara.
- COLORADO.**—S. S. Packard, Pueblo; Willis L. Strachan, Colorado Springs; Charles W. Waterman, 414 Equitable Bldg., Denver; Harry E. Kelley, Denver, also Washington, D. C.; Henry C. Hall, Colorado Springs, also Washington, D. C.
- CONNECTICUT.**—Talcott H. Russell, 42 Church St., New Haven; Walter E. Coe, Stamford, also 165 Broadway, New York, N. Y.; Christopher L. Avery, Groton.
- DELAWARE.**—Phillip Q. Churchman, Wilmington; James M. Satterfield, Dover; Charles M. Cullen, Georgetown.
- DISTRICT OF COLUMBIA.**—Alonzo H. Stewart, Washington.
- FLORIDA.**—William A. Blount, Pensacola; Louis C. Massey, Orlando; Robert E. Davis, Gainesville.
- GEORGIA.**—J. Hansell Merrill, Thomasville; P. W. Meldrim, National Bank Bldg., Savannah; T. A. Hammond, Atlanta.
- HAWAII.**—C. H. Olson, Honolulu; A. A. Wilder, Honolulu.
- IDAHO.**—John F. Nugent, Boise; B. H. Miller, St. Anthony; Geo. W. Tannahill, Lewiston; Geo. D. Ayers, Moscow.
- ILLINOIS.**—Ernst Freund, University of Chicago, Chicago; Nathan William MacChesney, 30 N. LaSalle St., Chicago; John C. Richberg, 1817 Harris Trust Bldg., Chicago; John H. Wigmore, Northwestern Law School, Chicago; Oliver A. Harker, University of Illinois, Champaign.
- INDIANA.**—Charles Remster, Indianapolis; William P. Breen, 913 Calhoun St., Fort Wayne; Merrill Moores, 1025 Law Bldg., Indianapolis, also Washington, D. C.; Fred H. Winter, Indianapolis; Henry W. Bullock, Indianapolis; E. B. Stotsenberg, New Albany; Lex J. Kirkpatrick, Kokomo.

- IOWA.**—J. L. Carney, Marshalltown; H. E. Deemer, Red Oak; J. B. Weaver, Des Moines; C. G. Saunders, Council Bluffs; E. F. Dawley, Cedar Rapids; J. W. Good, Cedar Rapids.
- KANSAS.**—S. H. Allen, Topeka; S. N. Hawkes, Topeka; Charles W. Smith, Topeka; William L. Burdick, Lawrence; A. M. Keen, Fort Scott.
- KENTUCKY.**—John T. Shelby, Lexington; James R. Duffin, Louisville; D. W. Wright, Bowling Green.
- LOUISIANA.**—W. O. Hart, 134 Carondelet St., New Orleans; I. D. Wall, 910 Pike-Row, Kernan Bldg., Baton Rouge; J. R. Thornton, Alexandria.
- MAINE.**—Charles P. Barnes, Houlton; P. H. Gillin, Bangor; Harry L. Cram, 102 Exchange St., Portland.
- MARYLAND.**—George Whitelock, 1416 Munsey Bldg., Baltimore; Henry Stockbridge, 75 Gunther Bldg., Baltimore; John Hinkley, 215 N. Charles St., Baltimore.
- MASSACHUSETTS.**—Hollis R. Bailey, 19 Congress St., Boston; Samuel Williston, Cambridge; Joseph F. O'Connell, 53 State St., Boston.
- MICHIGAN.**—Dan H. Ball, Marquette; C. P. Black, Lansing; Geo. W. Bates, Dime Bank Bldg., Detroit.
- MINNESOTA.**—Rome G. Brown, 1006 Metropolitan Life Bldg., Minneapolis; C. A. Severance, St. Paul; S. R. Child, Minneapolis.
- MISSISSIPPI.**—R. N. Miller, Hazelhurst; LeRoy Percy, Greenville; O. G. Johnston, Clarksdale; A. T. Stovall, Okolona; J. S. Sexton, Hazelhurst.
- MISSOURI.**—Edwin A. Krauthoff, Kansas City, also 713 Riggs Bldg., Washington, D. C.; Frederick W. Lehmann, Merchants-Laclede Bldg., St. Louis.
- MONTANA.**—Louis P. Saunders, Butte; Stephen J. Cowley, Great Falls; J. B. Roote, Butte.
- NEBRASKA.**—John L. Webster, 326 N. Y. Life Bldg., Omaha; H. H. Wilson, Lincoln; J. A. C. Kennedy, Omaha.
- NEVADA.**—A. E. Cheney, Reno; E. E. Caine, Elko; Mrs. W. K. Freudenberger, Carson City; Hugh H. Brown, Tonopah.
- NEW HAMPSHIRE.**—Robert L. Manning, Manchester; Joseph Madden, Keene; Ira A. Chase, Bristol.
- NEW JERSEY.**—John R. Hardin, Prudential Bldg., Newark; Mark A. Sullivan, Jersey City; Frank Bergen, 755 Broad St., Newark.
- NEW MEXICO.**—F. C. Wilson, Santa Fe; James M. Hervey, Roswell; J. A. Fitch, Socorro.
- NEW YORK.**—Charles Thaddeus Terry, 100 Broadway, New York; Francis M. Burdick, Columbia University, New York; Carlos C. Alden, Buffalo Law School, Buffalo.
- NORTH CAROLINA.**—J. D. Murphy, Asheville; J. Crawford Biggs, Raleigh; Lindley Patterson, Winston-Salem.
- NORTH DAKOTA.**—John E. Greene, Minot; Andrew A. Bruce, Bismarck; E. P. Kelley, Carrington.

- OHIO.—A. V. Cannon, 1414 Williamson Bldg., Cleveland; Frank P. Richter, Hamilton; F. M. Clevenger, Wilmington.
- OKLAHOMA.—D. A. McDougal, Sapulpa; George Trice, Coalgate; Robert E. Adams, Taloga.
- OREGON.—H. H. Emmons, 366 Washington St., Portland; W. H. Fowler, Portland; Charles J. Schnabel, Portland.
- PENNSYLVANIA.—Wm. H. Staake, 648 City Hall, Philadelphia; William M. Hargest, Harrisburg; Walter Geo. Smith, 711-12 Wither-
spoon Bldg., Juniper and Walnut Sts., Philadelphia.
- PHILIPPINE ISLANDS.—Charles S. Lobingier, Shanghai, China; Julian A. Wolfson, 65 Juan Luna St., Binando, Manila.
- PORTO RICO.—Emilio del Toro, San Juan; Manuel Rodriguez-Serra, San Juan.
- RHODE ISLAND.—Thomas A. Jenckes, Turks Head Bldg., Providence; William B. Greenough, 32 Westminster St., Providence; William A. Morgan, Providence.
- SOUTH CAROLINA.—T. Moultrie Mordecai, 43 Broad St., Charleston; John C. Sheppard, Edgefield; J. P. Thomas, Jr., Columbia.
- SOUTH DAKOTA.—J. H. Voorhees, Sioux Falls; Jason E. Payne, Vermillion; U. S. G. Cherry, Sioux Falls; Perry F. Loucks, Watertown; Chas. S. Whiting, Pierre.
- TENNESSEE.—W. H. Washington, Nashville; Lemuel Banks, Memphis; Thad A. Cox, Johnson City.
- TEXAS.—William M. Crook, Beaumont; J. B. Dibrell, Sequin; S. P. Hardwicke, Abilene; Hiram Glass, Austin; H. M. Garwood, Houston; W. C. Morrow, Hillsboro; Robert P. Coon, San Antonio.
- UTAH.—W. H. Folland, 1022 Boston Bldg., Salt Lake City; Charles R. Hollingsworth, Ogden; L. B. Wight, Salt Lake City.
- VERMONT.—John G. Sargent, Ludlow; Henry B. Shaw, Burlington; Geo. B. Young, Newport.
- VIRGINIA.—Eugene C. Massie, 1136 Mutual Bldg., Richmond; James R. Caton, Alexandria; Hugh A. White, Lexington.
- WASHINGTON.—Charles E. Shepard, 613 N. Y. Bldg., Seattle; W. V. Tanner, Olympia; Alfred Battle, 901 Alaska Bldg., Seattle.
- WEST VIRGINIA.—Charles W. Dillon, Fayetteville; Edgar B. Stewart, Morgantown; Charles E. Hogg, Point Pleasant; W. W. Brannon, Weston; Reese Blizzard, Parkersburg.
- WISCONSIN.—E. A. Gilmore, University of Wisconsin, Madison; Charles McCarthy, Legislative Reference Library, Madison; Frank X. Boden, Milwaukee.
- WYOMING.—W. E. Mullen, Cheyenne; W. L. Simpson, Cody; Charles E. Blydenburgh, Rawlins.

LIST OF THE OFFICERS AND COMMITTEES
OF THE
NATIONAL CONFERENCE OF COMMISSIONERS ON
UNIFORM STATE LAWS.

1915—1916.

OFFICERS.

William H. Staake, 648 City Hall, Philadelphia, Pennsylvania,
President.

Nathan William MacChesney, 30 N. LaSalle St., Chicago, Illinois,
Vice-President.

Thomas A. Jenckes, Turks Head Bldg., Providence, Rhode Island,
Treasurer.

George B. Young, Newport, Vermont, *Secretary.*

STANDING COMMITTEES.

1. *Executive Committee.—Appointed Members:* Eugene C. Massie, 1136 Mutual Bldg., Richmond, Virginia, *Chairman.* Henry Stockbridge, 75 Gunther Bldg., Baltimore, Maryland. Merrill Moores, 1025 Law Bldg., Indianapolis, Ind., Washington, District of Columbia. Andrew A. Bruce, Bismarck, North Dakota. W. O. Hart, 134 Carondelet St., New Orleans, Louisiana. *Ex-Officio:* President, Vice-President, Secretary, Treasurer, and Ex-President, Charles Thaddeus Terry, 100 Broadway, New York, N. Y.
2. *Adoption of Approved Acts.—*S. R. Child, Minneapolis, Minnesota, *Chairman.* Gurney E. Newlin, 718 Title Insurance Bldg., Los Angeles, Cal. J. Hansell Merrill, Thomasville, Georgia. George D. Ayers, Moscow, Idaho. A. V. Cannon, Williamson Bldg., Cleveland, Ohio. John R. Hardin, Prudential Bldg., Newark, New Jersey. Harry L. Cram, 102 Exchange St., Portland, Maine.
3. *Publicity.—*W. O. Hart, 134 Carondelet St., New Orleans, Louisiana, *Chairman.* Nathan B. Williams, Fayetteville, Arkansas, Southern Bldg., Washington, District of Columbia. T. Moultrie Mordecai, 43 Broad St., Charleston, S. C. D. A. MacDougal, Sapulpa, Oklahoma. Mark A. Sullivan, Jersey City, New Jersey. George B. Young, Newport, Vermont. U. S. G. Cherry, Sioux Falls, South Dakota.

4. **Scope and Program.**—(Elected) W. A. Blount, Pensacola, Florida, *Chairman* (2 years). Ernst Freund, University of Chicago, Chicago, Illinois (3 years). H. H. Wilson, Lincoln, Nebraska (3 years). Eugene A. Gilmore, University of Wisconsin, Madison, Wisconsin (2 years). Andrew A. Bruce, Supreme Court, Bismarck, North Dakota (1 year). Hiram Glass, Austin, Texas (1 year). The President, *ex-officio*.

SPECIAL COMMITTEES.

1. **Commercial Law.**—Walter George Smith, 711-12 Witherspoon Bldg., Juniper and Walnut Sts., Philadelphia, Pennsylvania, *Chairman*. W. O. Hart, 134 Carondelet St., New Orleans, Louisiana. George Whitelock, 1416 Munsey Bldg., Baltimore, Maryland. A. T. Stovall, Okolona, Mississippi. Samuel Williston, Cambridge, Massachusetts. Francis M. Burdick, Columbia University, New York, N. Y. S. R. Child, Minneapolis, Minnesota.
2. **Wills, Descent and Distribution.**—W. A. Blount, Pensacola, Florida, *Chairman*. A. E. Cheney, Reno, Nevada. H. H. Wilson, Lincoln, Nebraska. Francis M. Burdick, Columbia University, New York, N. Y. Harry L. Cram, 102 Exchange St., Portland, Maine. James R. Caton, Alexandria, Virginia. Manuel Rodriguez-Serra, San Juan, Porto Rico.
3. **Marriage and Divorce.**—Andrew A. Bruce, Supreme Court, Bismarck, North Dakota, *Chairman*. Alfred Battle, 901 Alaska Bldg., Seattle, Washington. Walter George Smith, 711-12 Witherspoon Bldg., Juniper and Walnut Sts., Philadelphia, Pennsylvania. Hollis R. Bailey, 19 Congress St., Boston, Mass. L. B. Wight, Salt Lake City, Utah. Dan H. Ball, Marquette, Michigan. Stephen H. Allen, Topeka, Kansas.
4. **Conveyances.**—John R. Hardin, Prudential Bldg., Newark, New Jersey, *Chairman*. John Hinkley, 215 N. Charles St., Baltimore, Maryland. Emilio del Toro, Supreme Court, San Juan, Porto Rico. Charles W. Waterman, Denver, Colorado. Royal A. Gunnison, Juneau, Alaska. I. D. Wall, Baton Rouge, Louisiana. John G. Sargent, Ludlow, Vermont.
5. **Insurance.**—Joseph Madden, Keene, New Hampshire, *Chairman*. J. R. Thornton, 122 Murray St., Alexandria, Louisiana. Oliver A. Harker, University of Illinois, Champaign, Illinois. W. P. Breen, Fort Wayne, Indiana. John H. Voorhees, Sioux Falls, South Dakota. Henry B. Shaw, Burlington, Vermont. George W. Bates, Dime Bank Bldg., Detroit, Michigan.
6. **Incorporation.**—Charles Thaddeus Terry, 100 Broadway, New York, N. Y., *Chairman*. John R. Hardin, Prudential Bldg., Newark, New Jersey. W. M. Crook, Beaumont, Texas. James R. Caton, Alexandria, Virginia. Joseph F. O'Connell, 53 State St., Boston, Massachusetts. C. A. Severance, St. Paul, Minnesota. Nathan William MacChesney, 30 N. LaSalle St., Chicago, Illinois.

LIST OF COMMITTEES.

7. **Registration of Title to Land.**—Eugene C. Mason, Bldg., Richmond, Virginia, *Chairman*. Walter S. Brown, 711-12 Witherspoon Bldg., Juniper and Walnut Sts., Pennsylvania. John H. Wigmore, Northwestern University, Chicago, Illinois. W. A. Blount, Pensacola, Florida. Brown, Metropolitan Life Bldg., Minneapolis, Minnesota. Glass, Austin, Texas. Charles E. Blydenburgh, Birmingham.

8. **Uniformity of Judicial Decisions.**—Henry Stockbridge, Bldg., Baltimore, Maryland, *Chairman*. Eugene C. Brown, University of Wisconsin, Madison, Wisconsin. James H. Brown, Alexandria, Virginia. W. E. Mullen, Cheyenne, Wyoming. Brown, Tonopah, Nevada. Frank P. Richter, Salt Lake City, Utah. C. R. Hollingsworth, Ogden, Utah.

9. **Depositions and Proof of Statutes of Other States.**—Meldrim, National Bank Bldg., Savannah, Georgia. Hollis R. Bailey, 19 Congress St., Boston, Massachusetts. Andrew A. Bruce, Supreme Court, Bismarck, North Dakota. del Toro, Supreme Court, San Juan, Porto Rico. Houston, Texas. W. P. Breen, Fort Wayne, Indiana. Lobingier, United States Court, Shanghai, China.

- * 10. **Purity of Articles of Commerce.**—Walter E. Coe, New Haven, Connecticut; also 165 Broadway, New York, N. Y., *Chairman*. C. Alden, Buffalo Law School, Buffalo, New York. Kelley, Denver, Colorado; also Washington, District of Columbia. Cyrenius P. Black, Lansing, Michigan. Charles H. Legislative Reference Library, Madison, Wisconsin. Hargest, Harrisburg, Pennsylvania. Alonzo H. Houghton, District of Columbia.

11. **Vital and Penal Statistics.**—Nathan William Mason, LaSalle St., Chicago, Illinois, *Chairman*. Eugene C. Brown, University of Wisconsin, Madison, Wisconsin. George H. Moscow, Idaho. E. E. Caine, Elko, Nevada. J. S. Hurst, Mississippi. P. H. Gillin, Bangor, Maine. Churchman, Wilmington, Delaware.

12. **Taxation.**—Ernst Freund, University of Chicago, Chicago, *Chairman*. Frederick W. Lehmann, Merchants-Labor Bldg., St. Louis, Missouri. Hollis R. Bailey, 19 Congress St., Boston, Massachusetts. William M. Hargest, Harrisburg, Pennsylvania. Clevenger, Wilmington, Ohio. Alfred Battle, 90 Third St., Seattle, Washington. Frank Pace, Little Rock, Arkansas.

13. **Automobile Legislation.**—Cyrenius P. Black, Lansing, Mich., *Chairman*. W. L. Simpson, Cody, Wyoming. Carlos C. Alden, Buffalo Law School, Buffalo, New York. William B. Greenough, Providence, Rhode Island. W. V. Tanner, Olympia, Washington. Edwin A. Krauthoff, Republic Bldg., Kansas City, Missouri; also 713 Riggs Bldg., Washington, District of Columbia. T. A. Hammond, Atlanta, Georgia.
14. **Legislative Drafting.**—Ernst Freund, University of Chicago, Chicago, Illinois, *Chairman*. Charles E. Shepard, 613 N. Y. Bldg., Seattle, Washington. Walter George Smith, 711-12 Witherspoon Bldg., Juniper and Walnut Sts., Philadelphia, Pennsylvania. Samuel Williston, Cambridge, Massachusetts. Francis M. Burdick, Columbia University, New York, N. Y. Merrill Moores, 1025 Law Bldg., Indianapolis, Indiana; Washington, District of Columbia. Charles McCarthy, Legislative Reference Library, Madison, Wisconsin.
15. **Reporting and Prevention of Occupational Diseases and of Industrial Accidents.**—Hollis R. Bailey, 19 Congress St., Boston, Massachusetts, *Chairman*. Charles E. Shepard, 613 N. Y. Bldg., Seattle, Wash. Cordenio A. Severance, St. Paul, Minn. Nathan William MacChesney, 30 N. LaSalle St., Chicago, Illinois. George D. Ayers, Moscow, Idaho. W. H. Folland, Salt Lake City, Utah. Hugh A. White, Lexington, Virginia.
16. **To Co-operate with American Institute of Criminal Law and Criminology.**—John H. Wigmore, Northwestern Law School, Chicago, Illinois, *Chairman*. W. A. Blount, Pensacola, Florida. Charles W. Smith, Topeka, Kansas. Frank X. Boden, Milwaukee, Wisconsin. S. S. Packard, Pueblo, Colorado. Christopher L. Avery, Groton, Conn. James M. Satterfield, Dover, Del.
17. **Extradition.**—George Whitelock, 1416 Munsey Bldg., Baltimore, Maryland, *Chairman*. Eugene C. Massie, 1136 Mutual Bldg., Richmond, Virginia. W. O. Hart, 134 Carondelet St., New Orleans, Louisiana. William A. Morgan, Providence, Rhode Island. Frank Bergen, 755 Broad St., Newark, New Jersey. Edward Lees, Winona, Minnesota. W. V. Tanner, Olympia, Washington.
18. **Legislation Relating to the Use of the Flag.**—George W. Bates, Dime Bank Bldg., Detroit, Michigan, *Chairman*. Nathan William MacChesney, 30 N. LaSalle St., Chicago, Illinois. Henry Stockbridge, 75 Gunther Bldg., Baltimore, Maryland. W. O. Hart, 134 Carondelet St., New Orleans, Louisiana. J. D. Murphy, Asheville, North Carolina. Royal A. Gunnison, Juneau, Alaska. A. A. Wilder, Honolulu, Hawaii.

LIST OF COMMITTEES.

19. Admission to Practice and Registration of Nurses.—A. V. Cannon, Williamson Bldg., Cleveland. Walter E. Coe, Stamford, Connecticut; also New York, N. Y. Royal A. Gunnison, Juneau Hinkley, 215 N. Charles St., Baltimore, Maryland. 53 State St., Boston, Mass. W. M. Hargest, Harpavia. Louis C. Massey, Watkins Bldg., Orlando.
20. To Co-operate with the American Judicature Society. Brown, Metropolitan Life Bldg., Minneapolis, Minn. Frederick W. Lehmann, Merchants-Laclede Bldg. St. Louis. Joseph Madden, Keene, New Hampshire. Bingier, United States Court, Shanghai, China. Lincoln, Nebraska. Mark A. Sullivan, Jersey City. Henry W. Bullock, Indianapolis, Ind.

SECRETARY'S REPORT.

To the Twenty-fifth Annual Conference of Commissioners on Uniform State Laws:

Your Secretary respectfully submits the following report and suggestions:

Your Secretary was first elected at the last annual Conference. Returning home he received various boxes of printed matter belonging to the Conference. He sorted and arranged this and found a few copies of the proceedings of the Conference of 1904, 1905, 1907 and 1910; a large supply of the Proceedings of 1909, 1911, 1912 and 1913; a few copies of reports of various committees in earlier years and sixty-nine copies of the Compilation of the Laws of Various States Relating to the Appointment and Duties of Commissioners, published in August, 1911. This constituted all the records and information which came to the Secretary relating to the previous work of the Conference. He received no records of any kind or description except this printed matter.

The Secretary has no complete set of the Proceedings of the Conference. After considerable correspondence with many people and gathering extra copies here and there, especially with the assistance of the Treasurer, who has examined the library of our late brother commissioner, Amasa M. Eaton, the Secretary now has a set of proceedings for the Secretary's office which ought to be bound. These proceedings are complete from 1898 to 1914, inclusive, except for the proceedings of 1901, which are missing. The Secretary also has a copy of the Proceedings of 1896.

Almost immediately after his return from the last Conference the Secretary began to receive requests for copies of acts approved by the Conference with which he was unable to comply.

As soon as the reporter's transcript of the Proceedings of the Twenty-fourth Annual Conference were received the Secretary prepared the text for the Report of that Conference and an index therefor, and attended to the printing and distribution thereof. The distribution of this report required a considerable amount of

SECRETARY'S REPORT.

work in preparing a mailing list, as none came. The report was sent to all persons to whom the copies to be sent, except the Presidents of the various Associations. Copies were not sent to them because the Committee thought there were insufficient funds for the expense. Consequently, there is in the Secretary's office a number of copies of the Proceedings of the Twelfth Conference which would be of more value in the hands of persons who might be interested in the work of the Conference.

During the late Fall and early Winter the Secretary received many requests for copies of acts approved by the legislatures of various states who desired to introduce them into the various legislatures. The requests came from Bar Associations, from individual lawyers, and from persons interested in the work. Except as some of these requests were in the Proceedings in the Secretary's office, they could not be complied with until the latter part of January. Copies were sent as far as possible. By this unavoidable delay the work of the Conference was seriously retarded and its results impaired.

Copies of all acts approved by the Conference are now in the hands of the Secretary for adoption, except an "Act Relating to and Promoting the Marriage and Marriage Licenses; and to Promote the Union between the States in Reference Thereto," have not yet been adopted and a goodly supply thereof is in the Secretary's hands. The type is kept standing so that additional copies can be printed if needed. These copies were not received early enough to be sent to the sessions of legislatures which convened during the winter.

The By-laws provide that the Secretary shall keep a record of the name and address, the date of appointment and the term of each commissioner. No such record has yet been kept by the present Secretary. Your Secretary early sought this information from the commissioners. Failing to obtain it from them, he attempted to gather it by correspondence with the various states, that the records might be made complete. He met with somewhat indifferent success, as the Governors of the states have not answered his communications. However, in many cases, they have done so, and the Secretary now has a record compiled from his efforts, and those of the Commissioners.

ment of new Commissioners, which he believes to be correct and which, for the most part, gives the information which the By-laws require him to have.

In accordance with the votes of the last Conference the Secretary sent a copy of the resolutions adopted at that Conference, with relation to our late honored brother Commissioners Eaton, Arvine, Brown and Snodgrass, to the family of each, respectively, and receipt thereof was acknowledged by appreciative notes.

The Secretary has received during the year from various sources requests for information concerning the work of the Conference, copies of acts approved, and other literature, which has been furnished so far as the office was able so to do.

The Secretary has prepared a mailing list, so far as he is able, showing the persons and institutions to which literature of the Conference should be sent. After the acts approved by the Conference were printed, copies thereof were sent to all the commissioners.

At the direction of the Executive Committee the Secretary arranged with the Lord Baltimore Press for the printing of reports of all committees, and has attended to that printing in so far as the reports have been sent to the Secretary. Proofs have been submitted to the Chairmen of committees so far as possible. The reports so printed have been distributed. Some delay in making the arrangement for printing is responsible for the failure to distribute the Corporation Acts as voted at the last Conference. This delay is due to no fault on the part of the Committee on Corporation Law.

In printing the reports of various committees in the Proceedings of 1914, the acts recommended by the committee, but which were not approved by the Conference, or not acted upon, were omitted. This was done with the advice and approval of the President and Chairman of the Executive Committee, believing that it was, perhaps, unwise to publish acts which had not been approved.

There was a meeting of some of the Executive Committee held at the Hotel Astor, in New York, February 26, 1915. The Secretary did not attend, not knowing of the meeting until afterward. Only routine business seems to have been transacted. Among other things considered at that meeting was the ques-

tion of the determination of a s
The Secretary has noticed, and
attention from various sources, th
in the references to the differer
ference, by the officers and com
the language of one communicati
of 1913, the writer says: "I n
the report of the last proceedings
Secretary's Report, page 111), "
Sales Act'; 'The Certificate of
fer Act'; 'The Probate of Fore
to Wills Executed Without the

Some of the acts approved and
ence do not provide a short title
The acts which do not provide in

"An Act Regulating Annulm

"An Act Relative to Wills Ex
to Promote Uniformity among th

"An Act Relating to Desertion
Husband, or of Children by Eith
viding Punishment Therefor; an
tween the States in Reference The

"An Act Relating to and Reg
Licenses; and to Promote Unif
Reference Thereto."

"An Act on the Subject of I
Country in Evasion or Violation
Domicile."

"An Act to Make Uniform th
Deeds or Other Instruments Tak

In passing it may be proper
citation, by the Conference, of a
is very much to be desired. It
if we could adopt some uniform s
tioned, the titles to some of which

The following acts have been approved by the Conference and recommended for adoption to the different states on the dates and to be cited under the titles hereinafter stated respectively:

Uniform Negotiable Instruments Act.....	Approved August, 1896.
Uniform Sales Act.....	Approved August, 1906.
Uniform Warehouse Receipts Act.....	Approved August, 1906.
An Act Regulating Annulment of Marriage and Divorce	Approved August, 1907.
Uniform Bills of Lading Act.....	Approved August, 1909.
Uniform Stock Transfer Act.....	Approved August, 1909.
An Act Relating to Desertion and Non-Sup- port of Wife by Husband, or of Children by Either Father or Mother, and Providing Punishment Therefor; and to Promote Uni- formity Between the States in Reference Thereto	Approved August, 1910.
An Act Relative to Wills Executed Without the State and to Promote Uniformity Among the States in that Respect.....	Approved August, 1911.
An Act Relating to and Regulating Marriage and Marriage Licenses; and to Promote Uniformity Between the States in Reference Thereto	Approved August, 1911.
Uniform Child Labor Law.....	Approved August, 1911.
An Act On the Subject of Marriages in Another State or Country in Evasion or Violation of the Laws of the State of Domi- cile	Approved August, 1912.
An Act to Make Uniform the Law of Acknowl- ments to Deeds or Other Instruments Taken Outside the United States.....	Approved October, 1914.
Uniform Partnership Act.....	Approved October, 1914.
Uniform Cold Storage Act.....	Approved October, 1914.
Uniform Workmen's Compensation Act.....	Approved October, 1914.

This makes fifteen acts approved by the Conference and recommended for adoption. The Secretary has prepared the following table to show the jurisdictions which have adopted the various acts approved and recommended by the Conference.

Acts.	Jurisdictions where adopted.	Jurisdictions where not adopted.
Uniform Negotiable Instruments Act.....	47	6
Uniform Sales Act	14	39
Uniform Warehouse Receipts Act.....	30	23
Uniform Divorce Act.....	3	50
Uniform Bills of Lading Act.....	13	40
Uniform Stock Transfer Act.....	9	44
Uniform Family Desertion Act.....	9	44
Uniform Probate of Foreign Wills Act.....	11	42
Uniform Marriage License Act.....	0	53
Uniform Child Labor Law.....	0	53
Uniform Marriage Evasion Act.....	4	49
Uniform Acknowledgments Act.....	0	53
Uniform Partnership Act.....	3	50
Uniform Cold Storage Act.....	0	53
Uniform Workmen's Compensation Act....	1	52

An examination of this table shows that no act approved by this Conference and recommended by it for adoption has been adopted by all the jurisdictions of the United States; that some of the acts which were approved some years ago have been adopted in none of the states; that there are sufficient acts approved and jurisdictions which have not adopted them to afford a broad field for the work of this Conference; that no state has adopted every act approved by the Conference, so that the commissioners from every state may have something to work on at home.

A successful campaign for the adoption by all jurisdictions of the acts already approved would do more to promote uniformity than the continued approval by this Conference of acts, even on important subjects, with no following campaign to secure their enactment into law in the different jurisdictions.

The acts approved by this Conference are unquestionably prepared with greater skill, care and ability than most acts ordinarily introduced into state legislatures. The acts which this Conference has approved are the result of careful study and consideration by the committees of this Conference, supplemented by the discussion and consideration of the Conference itself at several sessions during a period of years. To this consideration and discussion is brought the experience of lawyers of ability from all over the country, having in mind the needs and conditions of their respective sections. Acts prepared with such care ought to command the very careful consideration of all legislators who stop

to consider what is necessary to make good law on the subjects which the Conference have treated. With the record which the Conference now has of acts approved in this manner, and recommended for adoption, we should be able to conduct a campaign that would result in the enactment of a large part of these acts in practically every state, territory and possession of the United States.

During the year Illinois, Wyoming and Maine have passed acts making appropriations to the Conference. Minnesota failed to renew its heretofore very liberal contribution. Wyoming and Nevada passed acts creating a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States. The Governor of Nevada has appointed as one of the commissioners from that state the first woman to be a member of this Conference, Mrs. W. K. Freudenberger, of Carson City.

The National League for the Protection of the Family, in its annual report of the current year, has made some quotations from the reports of the Conference and expresses a desire to co-operate with the Conference in work along the lines in which it is especially interested.

The last printed report shows that the following states, territories and federal districts have appointed commissioners:

States.

Alabama.	Maine,	Ohio,
Arizona,	Massachusetts,	Oklahoma,
Arkansas,	Maryland,	Oregon,
California,	Michigan,	Pennsylvania,
Colorado,	Minnesota,	Rhode Island,
Connecticut,	Mississippi,	South Carolina,
Delaware,	Missouri,	South Dakota,
Florida,	Montana,	Tennessee,
Georgia,	Nebraska,	Texas,
Idaho,	Nevada,	Utah,
Illinois,	New Hampshire,	Vermont,
Indiana,	New Jersey,	Virginia,
Iowa,	New Mexico,	Washington,
Kansas,	New York,	West Virginia,
Kentucky,	North Carolina,	Wisconsin,
Louisiana,	North Dakota,	Wyoming.

Territories.

Alaska,

Hawaii.

Federal District.

District of Columbia.

Possessions.

Philippine Islands,

Porto Rico.

Making 53 jurisdictions that have appointed commissioners.

The Committee on Appointment of New Commissioners, in their report giving the commissioners constituting this Conference, have brought forward the names of commissioners from all these states.

The Secretary, in endeavoring to complete the records as to commissioners, which the By-laws require, was informed by the Governors of California, Delaware, Nebraska and South Carolina that there were no commissioners from those states. No report was received from Arkansas. He was further advised that in these states there is no provision for the appointment of such commissioners or for paying their expenses.

The commissioners from the District of Columbia have resigned.

There is no record in the Secretary's office, except as it is found in the printed reports, showing what states have legislative authority for the appointment of commissioners, but from said reports and the information received during the year the following list of jurisdictions where commissioners have been appointed under legislative authority is believed to be correct:

Alaska,	Massachusetts,	Philippine Islands.
Arizona,	Michigan,	Porto Rico,
Colorado,	Minnesota,	Rhode Island,
Connecticut,	Mississippi,	South Carolina,
Florida,	Nevada,	Tennessee,
Georgia,	New Hampshire,	Utah,
Hawaii,	New Jersey,	Vermont,
Illinois,	New York,	Virginia,
Louisiana,	Ohio,	Washington,
Maine,	Oklahoma,	Wisconsin,
Maryland,	Pennsylvania,	Wyoming.

During the year the Secretary has written about five hundred letters, has mailed about two thousand other packages or items of mail matter consisting of circulars, pamphlets, copies of proceedings, etc., in addition to sending out a large number of express packages. This has involved a large amount of labor, especially as much of this matter has been subject to parcel post rates so that every package had to be weighed, its zone determined, its postage figured and placed upon the package. In addition it has been a matter of considerable time to prepare mailing lists and collect data relating to the action taken by different legislatures, the dates of appointments of commissioners and other matters which have called for the attention of the Secretary.

Your Secretary has received from the Conference, to be accounted for, the sum of two hundred dollars, which has been disbursed as follows:

Express and freight on reports and printed matter received and sent out.....	\$39.53
Telegrams and telephones.....	3.64
Two letter files.....	.50
Stamped envelopes and postage.....	100.53
Manila envelopes	7.95
Printing and miscellaneous expenses.....	25.15
	<hr/>
	\$177.30

In conclusion permit the Secretary to suggest for your consideration the following:

1. There should be a record book for this Conference in which should be recorded the date of approval of all acts approved by the Conference, a copy of the act and the vote approving the same.

2. A record, as required by the By-laws, showing the names of the commissioners, their addresses, the date of their respective appointments and their respective terms of service.

3. A record of the persons attending the different Conferences. If a loose leaf record book were adopted, the signatures of all those attending, who register, could be inserted and made a permanent record.

4. Some plan should be devised so that the Secretary's office would have official information and a record of the action of the different states with relation to the various uniform acts, the

date when adopted, the number of the act of the legislature adopting the same, and of other action affecting uniformity.

5. Some consistent, aggressive plan should be devised to procure in all the states the enactment of a bill creating a Board of Commissioners for the Promotion of Uniformity of Legislation in the United States, providing for the payment of the expenses of the commissioners, and for some appropriation to the work of this Conference.

6. To promote uniformity something more than the approval of acts by this Conference is necessary. We have now approved so many acts, and will probably approve other important acts at this Conference, that the attention of the Conference should be directed to some systematic aggressive work looking to the passage of the acts approved by this Conference by the various legislatures.

7. The Conference should provide itself with such literature as is necessary and desirable to aid in procuring the enactment by the various state legislatures of the Uniform Acts in such form as to be available when needed. The briefs and annotations used by the Conference in its consideration of the acts are extremely helpful in this regard. Experience before legislative committees shows that if the act is well annotated it greatly facilitates answering questions which are sure to be propounded.

8. The American Year Book, although referring to Uniform State Laws, does not refer to the Conference of Commissioners. It does refer to the American Bar Association and to the American Bankers Association as having to do with this movement. Some action should be taken to make the work of this Conference so generally known, that this Conference should everywhere be immediately associated with uniformity of legislation.

9. A complete file of the printed proceedings should be obtained and bound for the Secretary's office.

10. There should be an appropriation for the clerical assistance required in the Secretary's office.

Respectfully submitted,

GEO. B. YOUNG,
Secretary.

PRESIDENT'S ADDRESS.

BY

CHARLES THADDEUS TERRY.

UNIFORMITY—A RECIPROCAL DUTY OF THE LAW-MAKERS AND THE ELECTORATE.

The assumption that legislators acquire a certain omniscience by virtue of the mere fact of their election to office is a lamentable error, and has led to many disasters in the course of governmental processes.

The further assumption that laws will, in some occult or mysterious way, enforce themselves, is likewise a deplorable mistake, all too common to our easy-going civic conscience.

Couple together these two fundamental misconceptions and it may, perhaps, be asserted with reasonable justification, that you have the explanation of much of the defectiveness of our so-called "government of laws." The law as a rule of conduct, in a democracy, is predicated upon the condition that it emanates from the people themselves, whose conduct is to be ruled, and is enforced by them in the self same spirit in which it was originally promulgated. It would seem to be sufficiently obvious that there can be no break or interruption in the line of the popular intention, as to what the rule shall be from the moment of its initiation to the moment of its full consummation in the application of it to the daily routine of life, if the true theory of democratic government is to be given a fair test. If there can be no interruption in the course of the exercise of this volition, much less can there be a divorcement between the source and the ultimate outflow. One might as well seek to ignore the seed when contemplating the fruit, or forget the fruit when considering the seed. The system must be taken as a whole, or it must be abandoned. No fragment of it, taken alone, is of much, if any, value.

It is submitted that we have too long allowed ourselves to be misled by the supposition that the legislatures "make the laws." They do not. The supposition is very far from the truth. There

has been much loss of progress, much loss of efficiency, and much loss of accomplishment, by indulgence in the initial error embodied in the familiar phrase which has sometimes passed for a definition of one of our branches of government, namely: that "legislatures make the laws." It has not been the first time, nor will it be the last time, that efforts of prime importance are thrown into disorder and robbed of much, if not all of their forcefulness by the blind following of a phrase.

Legislatures find their legitimate sphere in the enactment of statutes, and should serve only as an instrument to record the peoples' will, which, before such enactment, shall express itself in terms of policy, and, after such enactment, shall use the record simply as a basis for the application of such policy to its own affairs. The legislature is, in fact, but an intermediate device for formulation and not, in any sense, a source nor an executive factor. Those two functions, one at each end of the process, belong alike to the electorate.

The means should not be confused with the end. The crystallization, into the form of statute, of the sentiment respecting the proper ordering of conduct, is only one step in the process—an important step to be sure—but still one which falls far short of the end to be reached. Responsibility is not discharged until the statute has been made an integral part of the machinery of the state, and is continuously employed in the regulation of its affairs.

These reflections have an intimate bearing upon the obligations assumed by every commissioner when he takes his solemn oath of office. His fealty to the cause, which he swears to serve, requires that, without cessation, he contribute liberally of his time, his experience, and his efforts at three of the four stages of statutory progress, namely: the *second* stage, that which consists of the moulding of state laws into uniformity of shape, and of substance; the *third*, that which consists in invoking the power of the legislature to impress with the stamp of its official approval, the standardization of the laws thus recast by the Conference; and *fourth*, that which consists in enlisting the co-operation of members of the Bar, whether upon the Bench in judicial position, or, off the Bench, in the ranks of the practitioners, to frame their arguments, or their opinions, as the case may be, in obedience to

the mandate conveyed by the express provision found in each of these laws¹ that "this law shall be so construed as to effectuate the general purpose of uniformity."

With the *first* stage of statutory progress, namely: the initiation of laws on entirely new subjects, or of entirely new laws on old subjects, or, in a word, *with laws of first impression, this Conference has nothing whatever to do.* That is exclusively the privilege and the prerogative of the electorate and their chosen representatives in legislature assembled.

We must not trespass upon the exclusive territory of the people and their legislative agents, but on the other hand, it will be equally abhorrent and intolerable, if, we, as Commissioners, neglect or ignore any of the duties which in fact pertain to our office, and which are, by every behest and command of our respective states, laid heavily upon us. Those duties constrain us not only to round into uniformity divergent laws of the states on subjects common to them all, to bring about the enactment of those uniform laws, and to influence the Bench and Bar, so far as we legitimately may, to uniformity of interpretation—*these three are the pleasure and the duty of the commissioner—and only these.*

But the Conference and the electorate, alike, expect every commissioner to do his duty—not only in one or two, *but in all three* of these respects.

Every one of us, as commissioners, owes a clear and unconditional duty, not only to his own state, but, his task being national in its scope, to every one of the other states, to exert his utmost effort and influence, between conferences, in pursuit of those functions which have just been enumerated, as the second, third and fourth of statutory progress, to wit: the drafting of variant statutes into uniformity, adoption of them by his state, and the attainment of a uniform interpretation of the statutes by his courts. The proposition is stated thus baldly, because only by its constant observance shall we be able to disarm criticism if it should arise. In this day, and thus far, no legitimate claim can be made that there has been any paucity of accomplishment

¹ Warehouse Receipts Act, Bills of Lading Act, Sales of Goods Act, Transfer of Stock Act, Partnership Act, etc.

or meagreness of results; but we must be alert against what the future may hold.

Let us, then, improve the time, as well *between* sessions, as *at* them, warned against what may become justifiably caustic comment, and stimulated by what has already become a commendable achievement.

When reference was made, a moment ago, to the national scope of the office of Commissioner on Uniform State Laws, a significance was intended to be conveyed deeper than may be found in the recognition of the needs of all the states of freedom from inharmonious laws on specific subjects of mutual state concern. It was intended to point to

UNIFORMITY AS AN ANTIDOTE TO CENTRALIZATION OF GOVERNMENT.

The militant spirit of State's Rights which characterized a former day, and especially possessed particular sections of our country, has noticeably waned. It was a spirit so violent in its self-assertion as to include the declaration of the right of any state to secede from its association with all the other states. Its consequences are enrolled in the history of the Civil War, its extreme application was the essential factor in bringing about that cementation of the ties which bind the various units in our body-politic, which established once and for all, the indissoluble union, and it constituted the background for the noblest spectacle in history—the spectacle of a reunited brotherhood of Americans, purified of the bitterest of fraternal hatred, and purged of the deadliest of personal animosities.

But that sentiment or doctrine of State's Rights has now all but disappeared; and who shall say that it is not well that it is so? And yet, departing, it has left, in its wake, a danger hardly less to be feared—the danger that by indifference the states may inadvertently abrogate their high positions as sovereignties, and abdicate their prerogatives as such to govern their citizens—thus leaving the Federal Government at liberty, and indeed under the necessity, to legislate where the states have failed. If the states abandon their right to make laws for the mutual protection of their citizens, then, will the citizens, perforce, appeal to the

Federal Government to secure, in another form, which is not the natural form, nor the one contemplated by our system of government, that protection which has been denied them at the natural source.

We do not suggest, much less plead for, the revivifying of the old jealous spirit. The remedy which is needed is not the *restoration of States' Rights, but the observation of States' duties.*

It is in the performance of such duties that the Commissioners on Uniform State Laws are rendering signal aid, and thus, more than by any other agency, pointing the way, and blazing the path to safety from that concentration of power in the Federal Government which would mean, in the last analysis, the destruction of our unique experiment in Democracy.

Thus do the most practical accomplishments go hand in hand with the highest ideals.

UNIFORMITY A REASONABLE AMBITION.

The vigorous pursuit of an ideal, to be successful, must command, as its concomitants, both faith and reason. If it be accompanied neither by faith nor reason, it will inevitably sink into the black abyss of failure. If it be attended by reason alone, without faith, he who seeks to travel the course will fall by the wayside, exhausted before the goal is reached—faint from despair. If it be attended by faith alone, without reason, then excessive zeal soon grows into fanaticism.

When faith looks backward and views the veritable realizations of her fondest visions—and then looks forward with confident assurance, based upon reason, tested and found trustworthy, to still higher and further visions, that faith is, and will continue to be, justified of her children.

Uniformity is not simply a name, it is a principle, and a principle which is of the very essence of democracy, if we mean by democracy that state of society in which there is one law, equable in its application to the rights of all men alike everywhere; and to achieve that ideal in matters which relate to interstate interests or transactions, there must be one law common to all the states and such law must be secured either by federal enactment, involuntarily imposed, compulsory upon all states, irrespective of their

particular desires, or it must be secured by voluntary uniform state enactment growing out of the deliberate initiative of each of such states.

When men or nations take leave of reason and abandon faith, then they are certain to disregard fundamental rights and ignore essential principles; and never more so than when they fail to observe the duty which one community, state or nation owes, by the elementary laws of nature and humanity to every other community, state or nation. In such spirit selfishness grasps the helm—and the end of selfishness is self-destruction. Thus, indeed, a great principle may be dragged to the level of a *mere name—a word* which is not even a symbol. The man or nation taking that view, transmutes the inter-relations which spell brotherhood, into that exclusiveness which spells isolation—and thereby law is turned into chaos. Witness the startling illustration drawn, in vivid colors, before our eyes in this very day! The spokesman of a great nation gave the example, which should convincingly serve also as a perpetual warning—when he said:

“Just for a word, neutrality—a word which in war times has been so often disregarded—Great Britain is going to make war on a kindred nation.”

To thus confuse *words* with the *principles* for which they stand, has led, and must always lead to grief and calamity. It leaves out of account both faith and reason. Faith and reason look inexorably back and look undauntingly forward.

Thus in the work which we have in hand we must constantly pursue this course of faith and reason, ever testing our plans for the future by the history of the past.

A SUMMARY OF PAST ACHIEVEMENTS.

Following this course—we look backward for the reason of our high hopes in the future, and we find that:

(a) Every state, territory and federal possession has recognized, by appointment of commissioners to this body, either by special statutory authority or by general gubernatorial prerogative, the work of this organization.

(b) Forty-six states and the territory of Alaska and all federal possessions have adopted as a part of their statutory law the very first uniform act approved and recommended by this Conference.

(c) That thirty-two states, territories, federal districts and possessions have adopted the Warehouse Receipts Act, the second measure approved by the Conference in the order of time.

(d) That twelve states and the territory of Alaska have approved and adopted the Sales Act recommended by the Conference as its third measure in the order of time.

(e) That the succeeding acts approved and recommended by the Conference have been adopted by the states in varying numbers commensurate and proportionate to the length of time during which such acts have been in the category of statutes endorsed by the Conference, and the special character of the subject matters dealt with therein.

(f) That in twelve different instances, during the recent sessions of the legislatures, various of the uniform acts, promulgated by the Conference were adopted as laws by the states.

JUDICIAL CO-OPERATION AND APPROVAL.

When there be added to the satisfaction exhibited on the part of the chief executives and the legislatures of the various states of the Union in the work of the Conference, the hearty approval of the various state Bar Associations throughout the country, manifested in many substantial ways, including contributions to the general funds of the Conference and to the work involved in securing the passage of uniform acts by the respective state legislatures, the discriminatory praise of the Conference and its work by individuals in thesis and address, when there be added to these the very distinct and analytical commendation of the courts voiced in no uncertain terms by members of the Bench in different parts of the country in the course of judicial opinions upon cases before them, involving our uniform laws, it may be said perhaps with reasonableness that the success of the movement is demonstrated.

For illustration, it may be noted that Mr. Justice Mack, of the U. S. Circuit Court of Appeals for the Second Circuit of Illinois, in his opinion in a recent case,² uses language which will be gratifying and encouraging to the commissioners who compose this body.

² *National City Bank of Chicago, et al., vs. Wagner, et al.*; *Rogers vs. National City Bank*, 216 Fed. Rep. 473.

After quoting from another case^{*} in which it was said, referring to the principles governing stock certificates—"these principles are well known to business men and are constantly acted upon by them," and that "this circumstance should be given due weight in determining the rights of the parties in this case," he said:

"This 'due weight,' in our judgment, leads to the conclusion that, in this respect, stock certificates are to be dealt with in the same way as commercial paper. By the great weight of authority at common law, both in England and the United States, and now by the Uniform Negotiable Instruments Act, in force in forty-six jurisdictions, one who takes commercial paper as collateral security for a pre-existing debt is deemed to have given value." (Citing cases).[†]

"Stock certificate cases decided by the State Courts which decline to follow the federal rule as to uniform negotiable paper are, therefore, not persuasive."

"In Illinois, moreover, contrary to the weight of authority, the pledgee of an ordinary chattel given to secure a pre-existing debt, is protected as against a defrauding vendor thereof; and a like rule prevails in the eleven jurisdictions that have adopted the Uniform Sales Act."

"As further evidence, of the mercantile view of the character of documents such as stock certificates, bills of lading and warehouse receipts, it may be noted that under the provisions of the Uniform Warehouse Receipts Act in force in thirty jurisdictions, including Illinois, the Uniform Bills of Lading Act, in force in eleven jurisdictions including Illinois, and the Stock Certificate Act, in force in nine jurisdictions, the purchaser for value is defined as including one taking such documents as collateral for a pre-existing debt. Moreover, stock certificates and bills of lading even stolen, and warehouse receipts when entrusted to another, are fully negotiable."[‡]

Thus are the views and the purposes of the Conference given effect.

Again the wisdom of the creation of our Committee on Uniformity of Judicial Decisions, and the broad extent and effective character of the work which it has done, have been repeatedly disclosed, and never more so than by the fact of an application

^{*} *National Deposit Company vs. Hibbs*, 229 U. S. 391.

[†] *Swift vs. Tyson*, 16 Pet. 1; *Railroad Co. vs. Bank*, 102 U. S. 14; *Manning vs. McClure*, 36 Ill. 490.

[‡] It is significant that the court refers in this connection to 34 Am. Bar Assn. Rep., 1086-1096, and 38 Am. Bar Assn. Rep., 1029-1031.

made in the last few weeks by a justice of a court of record of New York State for the privilege of examining the cases collected by our committee on a mooted point under the Negotiable Instruments Law, the aid being asked avowedly in connection with a case pending before the justice and on a point which would be determinative of the litigation.

The knowledge which the courts have now secured of the Conference and its work, and of the material made available by the efforts of its officers and committees, are proving themselves effective in bringing judicial interpretation of the uniform laws within the spirit of those laws, both as to the substance of the acts themselves, and as to the purpose of uniformity, embodied in them. Thus what seems to have been an inadvertance and misconception of the Uniform Warehouse Receipts Act involved in the decision in a former case, decided by a federal court of Louisiana in the matter of *Druel & Co.*^{*} has been corrected in another decision which has just come to our attention, and not yet reported in the official volumes, namely: the case of, "*The Matter of Richheimer*"[†] rendered by the same court, and where the proper conclusion, as we view it under the act in question, was reached, and the true significance of the provisions of that act soundly affirmed.

ANTICIPATION.

If there is well-founded gratification to be found in the achievements of the past, there is justifiable confidence in a contemplation of the future.

We have in anticipation measures rich in promise of amelioration of existing conditions, calculated to remove uncertainties and divergencies of law, designed to standardize and unify the rights and remedies incident to several departments of jurisprudence, and presenting the solutions reached by the Conference and its committees, after much patient toil, of problems which have long pressed themselves upon the conscientious attention of thoughtful lawyers.

A brief reference to some of the more important of these will suffice as a recapitulation of the tasks which the Conference has

^{*} 205 Fed. 568, *affd.* in 211 Fed. 837.

[†] To be reported in 221 Fed.

had in course of performance for a varying number of years, and which, in view of the caution and deliberateness, which we insist shall characterize our work, are yet unfinished and which await further debate, and perhaps, further modification, to meet the exacting demands of our ideal—at the same time, I say, as a recapitulation and a presentation of the general outline of a program for the work of this present session, which the Executive Committee will wish to offer you more in detail.

THE INCORPORATION ACT.

The incursion by the federal government into the field of corporate regulation was occasioned in part, if not altogether, by the failure on the part of the respective states to thoroughly and adequately limit and regulate its own corporate bodies. If the states had given early and thoroughgoing attention to the proper adjustment of their own corporation laws, there would have been, it may be justly said, no need for the central government to take in hand the restriction and direction of corporations engaged in interstate commerce. Some states, it is true, realize the danger to the commercial interests, in particular, and to the public at large, in general, of lax corporation measures, and have performed their duties in this regard in an effective manner; but other states there are which have allowed to remain upon their statute books for years, or indeed have, in comparatively recent times, enacted corporation laws, so loose, so liberal in the powers granted to these creatures of the law, so free from the restraints which proper caution and a due regard to the rights of the citizens, would require, that an economic and legal scandal has been created and is being perpetuated. Improvement may be noted, in our time, in these respects, but the remedy is far from complete. It can never be completed until reasonably stringent corporate regulations are uniformly enacted by every state in the union. The situation calls patiently but urgently upon the Conference for correction. So long as there is one state which maintains corporate laws which are farcical in their claim of regulation, so long will the trusting investor and the credulous creditor remain the victim of the unscrupulous promoter. In this connection it is literally true that "the chain is no stronger than its weakest link."

If, after the years of labor which this Conference has expended on the formulation of an adequate, reasonable and commercially sound Uniform Incorporation Act there be any state which persists in refusing to adopt it, and in maintaining, whether through carelessness or from an affirmative desire for revenue, its legal mockery in the form of a so-called corporate regulation act, then it will be to the lasting shame of such state and at least this Conference will have done all it can do to remove the blot upon our commerce and our jurisprudence.

THE TORRENS ACT.

Only second in importance to the act making uniform the regulation of corporations, is the act making uniform the registration of land titles, and in philosophic, commercial and scientific interest, it may be well said, that the latter transcends the former. When the Conference entered the field of the Torrens System of Registration, it found an area fertile to cultivation and rare in possibilities. Untouched for many decades, it had somehow come to be regarded as closed to the investigator, whether because it was so closely guarded by those who were financially interested in perpetuating its form and appearance unchanged, or so closely hedged about with a tangle of ancient habit and almost impenetrable growth of forms and habitual practices, or whether the field disclosed to the view of those who examined it, so fair and satisfactory an aspect as to disarm criticism, one was at a loss to know; but the fact remains that, for some reason, progress had all but passed it by, when, within a comparatively recent period, it was discovered that even this exclusive domain was capable of vast improvement.

It is claimed, on the one hand, that the Torrens System of Land Registration is revolutionary; that it is an attempt at radical reform, void of practical beneficence. The former charge would only serve to arouse the profound interest of everybody, and would frighten nobody. The latter charge, if proved, would or should put an end, with complete finality, to any incursion into this field on the part of this body. But one must go further. Even if the introduction of the Torrens System were *logically* revolutionary, even if scientific thought indicated inevitably the necessity of such over-turning of settled soil; even though the

reform were genuine and attended by most desirable practical consequences, nevertheless, there would be presented no slightest justification for participation by this Conference in such an undertaking.

It is no part of the province of this body to revolutionize jurisprudence, nor to reform the law. Its simple, plain and exclusive function is to make the law of the various states on matters which in their effect upon citizens of the respective states, and their rights, overleap the geographic boundaries of the separate states, uniform and clear in their uniformity. Thus the aim must be defined, and thus the activity limited.

But, if the law of land titles is already in the process of revolution, already in the grip of reform, by reason of influences and forces outside the Conference; if it appears to be inevitable that such revolution and reform are to be consummated, then, not only is it the privilege, but it is the fundamental duty of the Conference to grasp the opportunity to impress uniformity of state action upon the Torrens Laws in their very making.

Such seems indeed to be the actual situation which confronts us.

Eleven states have already adopted the Torrens System for their own, and a majority of them are states which are recognized to be exemplars, at least in their conception of excellence in statutory law. That fact may be said to furnish a sufficient demonstration that the Torrens System has been accepted in our country as a desirable, legal process, and points unalterably to the need of immediate attention and effective action by the Conference.

Suppose there be added to this an argument drawn from the operation of the system which should show that certificates of registration, under the plan, were calculated to take their place among the negotiable documents of title with which we have, for so many years, been dealing, in respect of personal property—as witness our Negotiable Instruments Act, our Warehouse Receipts Act, our Bills of Lading Act, our Certificate of Stock Act, and our Sales of Goods Acts. If the adoption of a Uniform Torrens Act were to bring about in whole or in part something of the same fluidity or negotiability of land, as has been brought about in the case of personal property by the uniform acts just enumerated,

then indeed this Conference would be required to extend the principle, heretofore approved and tested, to this new subject, and be driven by every consideration of its purpose, its duty and its desire, to the enthusiastic support of uniformity in respect of an adequate Torrens Registration Act.

Such I believe to be the natural and necessary result of a proper Torrens Act and its formulation to that end, I believe, for the reasons given, to be a primary duty of the Conference.

The arguments against the adoption of the Torrens System will be found to rest largely upon the claim that the many decades of user of the old methods of dealing with land titles, negative any possible virtue in the new. There are, of course, other arguments advanced against the system and dealing with particular elements, but the main argument, as it is also the general argument, is drawn from the antiquity of the old law and the old custom.

While we yield to no one in our conservatism, in our respect for custom, and precedent, sanctioned by years of observance, nor in our reverence for ancient usage, nevertheless it is only the part of wisdom and of true scholariness to keep the mind open to try all things, and "to prove all things,"* to see if perchance there may be defects discovered, improvements inaugurated, and conditions bettered, by extending, through the processes of unification, policies adopted by some of the states, even though such policies may have been, in themselves, reversals of what had come to be considered settled doctrines. Antiquity does, indeed, entitle laws and customs to the benefit of every consideration, and every reasonable presumption, but not to unquestioning acceptance. To say that because a law or a usage is well settled, therefore, it is sound, is to say that the presumption in favor of it is conclusive; but there can be no such thing as a conclusive presumption.

The expression itself, "conclusive presumption," is a contradiction in terms. Merely to state the proposition is to refute it. To propose, that, because a system of recording titles and of conveyancing had been in vogue since ancient times, therefore it is the best possible system, would be the extreme of unsound

* *Thea.* V. 21.

logic. If the same reasoning were applied to all the world's business and relations, there would ensue the death of progress.

Bearing in mind, then, the due weight to be given to age-long practices, estimating at its true value the approval of past generations accorded to the old system, the judicial mind may yet, nay even must, of necessity, if progress is to be served, explore and investigate and test.

So tested, what, it may be asked, will be disclosed as to the formerly well-established method of dealing with land titles, and how will it compare with the so-called Torrens method?

Tested by the action of the states as such, we find that most of those which have seriously considered the respective merits of the two systems, have abandoned the old and adopted the new. Eleven states and, some of them, states which have been wont to be regarded as leaders in improved legislation, have thrown their conclusions and the weight of their influence on the side of the Torrens System. New York, Massachusetts, Ohio, Illinois, Minnesota, Mississippi, California, Colorado, North Carolina, Oregon and Washington have stated their determination of the question before us by placing a Torrens Law upon their statute books, and the same is true, also of Porto Rico, Hawaii and the Philippine Islands.

Tested by individual opinion of those whose opinion is entitled to grave consideration and persuasive force, we are driven to regard the Torrens System as not only expedient, but as, in the highest degree, beneficial and desirable. Thus Mr. Justice Hughes, now of the United States Supreme Court, when Governor of New York, set the stamp of his approval upon the system by signing a bill embodying it, after thoroughgoing debate and investigation in which those arrayed on both sides of the question had presented their arguments at their best. It is worthy of note that the adoption of the law in New York came only after such a course had been recommended by a carefully selected commission of amply qualified membership which had sifted the factors pro and con, and viewed the subject from all sides, both as a matter of law and of fact. A portion of its report is couched in these significant terms:

"The method" (referring to the old method) "which is used in New York State and most of the states in this country, grows

more cumbersome as it becomes older, and in spite of efforts to make it less burdensome is tending to break down of its own weight. The multiplication of records and complication of titles and the repeated expenses of re-examination and the delays incidental thereto, should be avoided, if any possible method of doing so can be devised. We are clearly of the opinion that a system of registering titles may be put into operation in this state, in such manner as to avoid these and other difficulties incidental to the present system and to become of much utility and advantage to conveyancers and owners of real property."

Accordingly the commission recommended the Torrens System of Land Title Registration and drafted a proposed act which was passed by the legislature and which went into effect on the first day of February, 1909, since which time it has been improved by amendment.

Again, if the test of the constitutionality of such a law be applied, the lawyer's mind is convinced of the soundness of the system. In view of the decisions beginning with the carefully analytical and clearly phrased opinion^{*} of Mr. Justice Holmes, now sitting on the Bench of the United States Supreme Court, with that other notable exponent of the system just mentioned,[†] and ending with a mass of decisions[‡] to the same effect in other states, the system may be regarded as having secured a clear title to constitutional sanction.

Tested by business beneficence, the Torrens System would seem to satisfy, to the full, the most exacting requirements. Ease in the disposition of property, convenience of transfer, availability of assets and values for commercial needs and mercantile contingencies—all these attributes would seem to fairly attach to land under the ideal Torrens Law. And furthermore, in this connection, it is more than a legitimate query, it is a query which conveys with it the undoubted answer—whether under this system, properly perfected, the certificate showing the ownership of a piece of land, might not be made as readily transferable from

^{*} *Tyler vs. The Judges*, 175 Mass. 71. (See also 179 U. S. 405.)

[†] *Mr. Justice Hughes*.

[‡] *People vs. Simon*, 176 Ill. 165; *Peters vs. Duluth*, 119 Minn. 96; *People vs. Chrissman*, 41 Colo. 450; *Robinson vs. Kerrigan*, 151 Cal. 41; *State vs. Westfall*, 85 Minn. 437. (See also Ohio Constitution, Art. II, Sec. 40.) The cases cited are selected from a considerably larger number.

hand to hand, from bearer to bearer, as a warehouse receipt or a bill of lading, and take its position as one of the current documents of title with which the Conference has been almost continuously dealing during the past twenty-five years, and with reference to which it has been able to formulate acts acceptable to the states, and effective in practice.

Other arguments and decisions against the system relating to particular features of it, do not commend themselves to experience, on the question of fact, nor to sound principles of interpretation, as a matter of law. The points which are had in mind in this connection are, among others, the following: the substitution of security for insecurity; the reduction of the cost of conveyancing, the elimination of obscurity and complication, the quieting of titles, and the reduction of litigation to a minimum. It is suggested that the questions here involved have been resolved in experience, as a matter of practice, and in principle, as a matter of theory, in favor of the Torrens System.

Doubtless, in view of these considerations, this body of commissioners, representing the various states, will desire to devote at its present sessions, after its years of previous consideration, the time and attention necessary to make its concrete presentment on the subject.

Other acts which the Conference has had under consideration, and with reference to which action at the present session is contemplated, deserve some words of comment.

CONVEYANCES ACT.

The extent to which real estate enters into the business transactions of the country, and the extent to which real estate values form the bases of credit and the growing volume of relations in which this kind of property forms a part, makes it imperative that action as speedy as may be consistent with due deliberation and care should be taken by the Conference to the end that instruments of transfer and of lien on this class of possessions, should be standardized, and made to accord, throughout the various states, as this subject was one of the very first ever referred to the Conference for its attention, so it should be dealt with and disposed of before the Conference is much older. The fact that the subject is a difficult one should only be an incentive to arouse

the zest and abilities of the commissioners to their highest point of stimulation.

The harder the task, the more eagerly it should be approached. It is hoped that the standing committee having this matter in charge will so report at this present session that the Conference may take a decided stand on a concrete proposition.

LIMITED PARTNERSHIP ACT.

The Committee on Commercial Law with its usual and highly commendable productiveness presents to the Conference at this time a Limited Partnership Act, for consideration. Supplementary as the act is to the General Partnership Act approved at our last session, it may nevertheless, it is apprehended, be cast into such form as to constitute a separate act complete in itself. The Conference in its wisdom will know how to deal with the question, and will doubtless apportion such time for debate upon it as may be reasonably necessary.

ACT PROVIDING FOR INTER-STATE EXTRADITION OF LUNATICS.

From several quarters during the last two or three years have come urgent requests that the laws relating to the extradition of lunatics from one state to another should be made uniform and at our last two sessions, the attention of the Conference has been pointedly directed to the subject by resolutions introduced in behalf of the movement to remedy what was claimed to be a far-reaching and serious evil. At our last meeting there was submitted by Commissioner Whitelock, of Maryland, a resolution which was adopted without dissent, in this language:

"Resolved, That the question of providing by uniform state statutes for the return upon gubernatorial requisition of lunatics who flee or have been removed from the state of their residence be and the same is hereby referred to one of the standing committees or to a special committee, as the President of the Conference may determine, with directions to such committee to investigate the question, and if they deem it expedient, then to frame and report to the Conference in legislative form a proper bill for consideration and action."

In pursuance of the resolution, your presiding officer appointed a special committee as therein authorized, and the committee.

after studying the subject, is now prepared to make its recommendations.

The Conference has never been accelerated or retarded in the performance of its functions by sensationalism or public clamor and it is fervently hoped that it never will be. Laws evolved out of hysteria or panic will almost inevitably be bad laws. Similarly, laws made to fit particular cases, would be found, as far as their general application might be concerned, to be defective. But, while care should be taken to avoid the hazard involved in submitting to such influence, nevertheless, if calm and deliberate action may be taken, irrespective of any special case or of any sensational instances or of any extravagant views, then, perhaps, it is opportune to give a just contemplation to the desirability of a pronouncement by the Conference on this subject, a determination also to be made, incidently, of the question whether a measure designed to provide for extradition in the case of lunatics should or should not also be made more general in its scope, so as to cover *all fugitives from justice*. Commissioners will, of course, bear in mind the provisions of the *Federal* enactment relating to the return of criminals.

OTHER REPORTS.

There will be likewise reports from other standing and special committees, as for example, those relating to the Uniform Automobile Act, the Wills Act, the Act Relating to the Use of the Flag, and to the topic of boiler inspection, and the interest of the commissioners will be engaged by them, and proper periods of time assigned for their examination and discussion.

DISCRIMINATION.

No more difficult task falls to the lot of the Conference than to select, among the subjects which are pressed upon its attention by various organizations and individuals throughout the country, those which should, by their inherent importance and timeliness, engage the labors of the commissioners, relegating subjects, which do not attain such prominence or importance as to displace or interfere with those which present questions of paramount significance, to their proper and respective places in the order of

consideration. Errors may be made and the fine exercise of judgment required may not operate with absolute exactness or precision, but, nevertheless, the duty is one which may not be shirked or postponed. Constantly through the years of its history, this body has been obliged, upon due reflection, to take its stand, and that with reasonable promptness, else the workings of its machinery would be inextricably clogged or suspended in operation. It is no small part of the task of discrimination to recognize and properly stamp for what they are, as something foreign to the province of the Conference, those topics which, although at first blush they may present interesting and timely and impressive features, nevertheless, do not in fact, when closely analyzed, involve in any degree whatever, or at best in only a slight and shadowy degree, interstate interests of the citizens of the various states.

Uniformity of law outside of matters involving such interests cannot claim for itself any advantage or value. On subjects of purely local concern, the Conference may not embark. If it were to do so, it would be derelict to its trust, and blind to its duties. If I may be permitted to illustrate that class of subjects which have been urgently pressed upon the attention of the Conference, and which fall entirely outside of its function, I would refer to the request of the "National Association of the Deaf," which, under what must be regarded as a mistaken view of the issue which has just been referred to, has been in recent months presenting its claims to the Conference in respect of the standardization of the laws against begging under the disguise of misfortune. It may be said in a word that however inadequate the various state laws on the subject may be, however divergent their provisions, however much in need of reform in this respect they are, it would be a flagrant violation of the official oaths of the Commissioners, to devote time and attention already fully engaged in the performance of duties which commissioners are appointed to observe to tasks unrelated to those duties however attractive they might be.

The specific matter under consideration by the National Association of the Deaf has no other than local application. It is inconceivable how it could affect any matter of interstate interest of the citizens. It is a matter strictly of *intra*-state cognizance.

On behalf of the Conference, I may be privileged, therefore, to bespeak the indulgence and the intelligent understanding of those who may have heretofore, or who may hereafter feel, at the first impression, aggrieved by the rejection by this body of their proposals when such proposals would carry the Conference far afield from the well-defined and strictly circumscribed territory of its operation.

In recounting the important items in the history of the Conference, and the activities of the commissioners during recent months, as shown, in part, by the reports to which reference has just been made, and in passing to the tasks now lying before us, there should be remarked, if the record is to be made complete, some changes in the personnel of the officers and the members.

1. There terminated directly after our last session, a lengthy period of devoted service, which I believe it has never fallen to the lot of any of us to see equalled, and certainly never surpassed. The performance of his duties as Chairman of the Executive Committee by Judge William H. Staake, our fellow-commissioner from Pennsylvania, stands as a monument to fidelity. It is particularly noteworthy, as a model of industry, and an inspiring example of the conscientious performance of public duty.

The Conference is fortunate in being able to secure as Judge Staake's successor, a man of such capacities as those of Commissioner Massie, of Virginia.

2. We shall miss from the councils of this body the valuable co-operation and the genial personality of our friends, Commissioners Edward W. Frost, of Wisconsin, and Judge Charles N. Potter, of Wyoming, who are no longer appointees from their states, and of Judge Henry H. Ingersoll, of Tennessee, and of Charles F. Libby, formerly associated with us as commissioner for many years, whose recent deaths we deeply deplore.

3. We are glad, indeed, to welcome back to our circle the Hon. Hiram Glass, of Texas, and the Hon. Charles R. Hollingsworth, of Utah, who have been reappointed to the commissions of their respective states, after an interval of absence, and who, in years past, have given us of their time, experience and abilities, in the work which we pursue.

4. We are obliged to note with deep regret the resignations given to the Commissioners of the District of Columbia, by our fellow-commissioners, Messrs. Clephane, Thomas and Baldwin.

CO-ORDINATION.

There is ancient and most solemn authority for the assertion that, although the body be composed of many members, they constitute but one organization. The language of the authority is impressive. "The body is one and hath many members, and all the members of that one body, being many, are one body."²² This might be assumed mistakenly to be a self-evident truth, were it not for the fact that there may be many bodies so devoid of cohesion, so illy regulated and so at war as to their internal parts, that the natural and first presumption is readily rebutted. So many are the exceptions that there can hardly be said to be a rule. The one safe assertion is that nothing approaching effectiveness in the operation of a body can be secured unless there be a complete sympathetic and constantly-communicating co-ordination of members.

Co-ordination, in this connection, signifies, not so much an arrangement of program, as an articulation of the parts—of the machinery of organization. Availing myself of this opportunity to present some views by way of a report for the Committee of the Conference which has this particular function to perform, and of which, for the moment, your President is Chairman, it should be said that the effort of the Committee should be to focus the energies of the commissioners, to concentrate their powers, on a single point, if need be, until that point be mastered. The members of the Conference are widely scattered geographically, and such separation has great, nay indispensable advantages, in that the sentiment of all parts of the country may be, thus, justly reflected, and in that the convictions of the people of the various sections may be accurately expressed. But, by the same token, this separation is attended, or will be attended, by correspondingly great disadvantages, unless care be exercised in devising expedients to forefend against them. Such an expedient, if widely employed, is found in our Co-ordination Committee. It will depend for its effectiveness upon its conception of its duties, and upon the methods which it adopts in the performance of those duties. May I venture to suggest an outline, simply by way of indication to the Conference, which, when it shall have been

²² I Cor. XII. 12, 14, 20.

properly debated, and if need be, modified, shall be perpetuated in our Constitution by an appropriate amendment to that document, so that this vital article of our creed, for such it may be regarded, may be plain to read and follow by those who shall come after us, and seek guidance in the performance of their allotted tasks.

It is believed, then, that the Committee's activity should follow something of the line here described :

(a) Within each month of the year, the Chairman should address to his committee a round-robin letter setting forth his conceptions of the most urgent needs of the Conference for the accomplishment of its recognized purpose, whether such need be in the way of the enactment by the states of laws approved by the Conference, or the adoption by the Conference of new laws, which may be urgently pressing for attention, or the appointment of new commissioners, or to draw the attention of the courts to the need of uniformity of interpretation.

(b) Each member should add to the letter his views by way of amendment or modification.

(c) Having reached a common basis, the committee should put its views in final printed form, forward them to each member of the Conference, after securing the approval of the Executive Committee, and urge each of such members to give his active support in his own state to the accomplishment of the end recommended, and make his report to the Co-ordination Committee with reference to the same.

(d) The Committee should, on any matter lying within the particular province of any standing or special committee, seek the co-operation and advice of such committee.

(e) And in passing it may be suggested that the committee would be performing a service of the utmost value if it were to prepare forthwith a set form or skeleton for the reports of the respective commissioners annually made to the Executive Committee, setting forth the enactment of any statutes or the rendition of any decisions affecting uniformity of law, or otherwise of intimate interest to the Conference. The material thus supplied to the Chairman of the Executive Committee from year to year, pursuant to his call and as required by our Constitution, would reach him in such a form as to make its compilation scien-

tifically accurate and, practically a matter of comparative ease; and at the same time would indicate to the respective commissioners the precise material required of them, and reduce the labor, involved on their part, to a minimum.

Thus will the body and all its parts work together, and thus be secured the utilization of all the faculties embodied here, and thus will the loss of wasted energy and fragmentary effort be reduced to a minimum.

The important thing in this connection is to remember that co-ordination is not simply concentration; it is not merely co-operation; it is not simply making and following a program. All these are important, and are essential parts of co-ordination but co-ordination means more than any one of them. It means the performance efficiently and effectively, by every separate unit in this organization, commissioners, committee and officer, of all and every the tasks which fall into his or its particular province, with an eye single to the purpose of uniformity. Every unit must support every other unit and all must unite in the aid of each. If there be a state which finds it hard to recognize the value of the principle of uniformity of law, as embodied in any one or the other of the acts of the Conference, then the committee which framed the act must, in conjunction with the commissioners of that state, make a brief in support of it, study the temper of the legislature then in session, secure the support of the local Bar Association, if it may be secured, and overcome the difficulty by concerted action. It may be suggested that it would be wise in the case of each of the acts, as it is promulgated by the Conference, and even in advance of the occurrence of a contingency calling for its immediate use, to prepare a short memorandum embodying the arguments generally in support of uniformity, as well as the arguments specifically in support of the particular act, for use by the commissioners in submitting the act to their local Bar, their own particular Bar Association and their state legislatures. It is submitted that there is, perhaps, no more practical or useful action which could be taken at this time in the furtherance of co-ordination and to effectually carry out our objects, than to establish a course of procedure in pursuance of which such a brief of arguments and authorities, and such a memorandum embodying the particular persuasive considerations which brought

about the adoption of the specific measure referred to, should be always available for presentation, when and where the need arises.

By the adoption of such methods, co-ordination is transmuted from an attractive theory into an effective practice.

BIBLIOGRAPHY.

It is the dictum of sound philosophy coming down to us from a remote age and from the lips of a great teacher that it is "by their fruits ye shall know them." The fruits grown by the patient planting, and watering and tending, by the Conference, are the Uniform Acts brought to a fine state of maturity, approved, and submitted to the state legislatures. But let us not forget that no fruit is grown or ripened without *leaves*. In our case it is the "leaves" of literature, protecting and giving food and drink and life to the fruit which is in course of production. Those "leaves" are not only an important, they are an indispensable part of the work done by the Conference, and by its friends, yes, and even by its critics. They should be welcomed, cherished and perpetuated.

The bibliography of the movement for uniform laws is one of the things upon which we may well lay particular emphasis at this time, and with reference to which you will perhaps accord me the privilege of making a somewhat urgent recommendation.

At this stage of the development of the Conference there should be a bibliography, as complete as may be, compiled, arranged and published, after some carefully devised and scientifically accurate plan.

Even you, who have nurtured and watched with deep solicitude the growth of our cause, would, it may safely be predicted, be astounded at the extensiveness, the scope, the depth and breadth of the literature which has accumulated upon our subject—the essays, the theses, the addresses and the critical analyses of our history, activities and progress which have been made. They furnish not only an ample fund of information upon the theme, but they supply the mirror held up to the organization and its accomplishments, wherein one may see, with clear vision, just what manner of organization we are; and having observed the truth, go on, inspired to still greater improvement, warned against early

mistakes, and mindful that the next reflection from the glass of truth must be made much more satisfying than the last.

Into the realm of important legal literature of recent years, have come many treatises dealing with one or another of the branches of the steady growth toward uniformity. It will not do to receive them and then discard or neglect them. Every exploration returns with something valuable to the science, for science lives and waxes strong upon the sacrificial offerings laid upon her altars by her devotees. To appropriate the fruits of these tours of discovery, which are taken in the name of uniformity, is but elementary wisdom. To preserve and make available all lawyer-like and scholarly writings upon our subject and thus spread the gospel is no mean or negligible part of the function of its true disciples. By way of illustration, permit me to refer to a certain prize essay, the work of a student of the Buffalo Law School, Sicherman by name, which has come to my hands by the courtesy and interest of Dean Carlos C. Alden, our fellow-commissioner. It happens to deal with two provisions common to many of our uniform acts which enjoins uniformity of interpretation upon the courts. Incidentally the essay convinces us, by implication, of the timeliness and propriety of the grave consideration, which was given at our sessions of last year, to the topic involving the obligation laid upon judicial officers as a matter of law, under the legislative direction, to co-operate in the work which we are endeavoring to perform, by the rendition of decisions in accordance with the duty thus imposed upon them. In the course of a thorough examination of the decisions in various states, dealing first with the general practice of the courts, in adopting, along with a statute from another state, the decisions interpreting its provisions, and then passing to a scholarly treatment of cases bearing directly upon the section of our uniform acts expressly providing a method of interpretation of them, it concludes with a discriminating summary of the rules of construction necessarily to be followed by the courts where common statutes are adopted by various states and particularly where there is incorporated into the law such a rule as that which the Conference has made a part of the statutes, which it has proposed.

It is suggested that such an essay as that should be preserved; and doubtless a resolution adopted by this body requesting the editors of the American Bar Association JOURNAL to print it in its next issue, or some succeeding issue, would secure the desired result. Thereafter it will be in such form as to make it of much use by way of reference as a part of the bibliography of the Conference.

In this connection the opportunity should not be lost of remarking the demonstration, made in this work, of the success which has attended the efforts of the Conference to secure uniformity of judicial decision; and this is done, in part, by the notation, there made, of three cases adjudicated in three different jurisdictions:

In the case of *Felt vs. Bush*,¹² the court said:

"As we view it, therefore, it is our plain duty to follow the numerous decisions that have passed directly upon the Negotiable Instruments Law, and have construed it in accordance with the majority rule."

To this extent the court in question went, without being constrained by any such provision requiring uniformity of interpretation as that contained in the acts which this Conference has approved. It might be presumed that courts would go at least as far when they are constrained by the provision contained in the interpretation provision found in our acts, and such has proven to be the fact. In its adoption of our Uniform Sales Act the State of New Jersey slightly modified the uniform provision "respecting construction, so that it required that the act

"shall be so interpreted and construed, if possible, as to effectuate the general purpose of uniformity."

Under this form of the provision, the New Jersey Court in the case of *Pope vs. Ferguson*,¹³ says:

"The purpose of the codification as expressed in its title was to make uniform the law concerning the sale of goods. Any construction of the statute, therefore, which would put it out of uniformity with the law generally prevailing, relating to that subject, would be in direct violation of its expressed object. It is consequently necessary to ascertain whether there is any generally accepted rule in other jurisdictions."

¹² 126 Pac. 688.

¹³ Compiled Statutes of New Jersey, Vol. IV, p. 4465, § 74.

¹⁴ 87 N. J. L. 566.

In another case, in still a third jurisdiction, namely, the case of *Roland M. Baker Co. vs. Brown*,¹⁸ the Massachusetts Court, dealing with the Bills of Lading Act, uses the following language:

"The previous decisions of this court by which the defendants were protected . . . have been abrogated and nullified by the statute *The case then must be governed by the decisions, which either were made upon statutes, resembling more or less closely the one which we are considering, or, independently of statute, have adopted the rule thereof instead of the one laid down in our former decisions.*"

With these examples of writings, bearing vitally upon our subject, before us there is no need of exhortation to the preparation of an adequate digest or manual of bibliography to which the Conference may refer and which those, who entertain a desire to investigate uniformity of state law, have a right to expect at our hands, upon demand.

Individual members of the Conference have, themselves, from time to time, made important additions to the library of knowledge of uniformity; and the Conference, as a whole, has published volumes of wide service to its members and others. But there is now indicated the need of a new publication by the Conference, notwithstanding our general reluctance to encourage the too prevalent tendency toward publication, and notwithstanding our strong sentiment against indiscriminate writing.

A CONFERENCE TEXT BOOK.

In these days of extravagant use of printer's ink, when the enormous over-production of statutes, judicial opinions, treatises on legal topics by more or less inspired members of the profession, when put in book form, stagger and overwhelm the intellect of the scholar in jurisprudence, and crowd the book shelves of the practitioner, at the same time that they flatten his pocket-book, it is rare, indeed, and a matter of surprise and rejoicing, when a book is found which really serves some genuinely useful purpose. How refreshing and gratifying it would be, if there could be offered to lawyers and others a book which served not merely a single useful purpose, but several useful purposes at once. Such, it is submitted, would be a "Conference Text Book," containing the text of each of the Uniform Acts with a schedule of

¹⁸ 214 Mass. 201.

references, showing where each of such acts is to be found in the laws of the states which have adopted it, the decisions of the courts in the respective jurisdictions, grouped under each section of the act to which they apply, and a brief note appended to each section, summarizing the consensus of opinion and of judicial pronouncement on the proper, uniform, interpretation thereof. Such a volume would prove not only a rich source of information for the judge and the practicing lawyer, alone justifying its existence, but it would also constitute a most potent factor in the promotion of the cause of uniformity, because no one could open the book without realizing, at once, the nature and the purpose of the statutes contained in it, and the necessity, as a matter of sound law, and of successful practice, of serving the dominating spirit of uniformity.

The valuable material collected and scientifically arranged by Commissioner Stockbridge, of Maryland, and his committee, a nucleus for which was furnished by the record of the late, lamented, Commissioner Eaton, of Rhode Island, would by virtue of such a text-book, be made widely available and be of incalculable aid in both the respects just adverted to, as well as others. If the Executive Committee, with Judge Stockbridge, were to act as a board of editors in the production of such a book, they would earn well-deserved praise in many quarters, be conscious of the satisfaction arising from the performance of a high service to the Conference, at an opportune moment, and receive the gratitude of the great body of lawyers which compose our national Bar. Such a book will, by the same token, be a witness in concrete form of the character of the movement, and an object lesson on standardization, which no one could fail to learn. By all means let this good work be speedily set in operation.

It may be said finally on this point that such text-book would doubtless be in sufficient demand by purchasers to free it from expense to the Conference, and it could be kept up to date by a paper supplement each year, and a reprinting of the whole volume every five years.

CONCLUSION.

And now, one last word!

There is no crown awaiting the member of this Conference who, in fidelity, does his simple, inconspicuous duty. He asks none. On the contrary he realizes that the highest honor which he could crave, or could receive, is that meed of praise which subsists in the acknowledgment of his colleagues that he has "fought a good fight, that he has kept the faith" reposed in him by them, and by his own commonwealth. Such approval is sufficient and is all that there can ever be; for even when the history of the course of state legislation in this country is studied, and a painstaking account of it is written, the revelation (as we may perhaps permit ourselves to hope) will be that of a body of scientifically developed law, uniform throughout the states, so well rounded and so deeply grounded as to resemble the very growths of nature itself, and so adapted to the needs of the various communities in which it is applied, and so ingrafted into the bodies of the commonwealths themselves, that it shall bear none of the marks of the toil and care and patience employed in its construction, and shall not, therefore, disclose anything of its origin in the councils of the Conference of Commissioners on Uniform State Laws. So let it be!

The joy is in the doing of the work, and in the accomplishment of the end to which the work is directed. Credit is at best only a by-product which adds nothing to the value of the substantial achievement.

This is the last opportunity which I shall have to address you as your presiding officer. May I use the opportunity to say a personal word of appreciation; appreciation of your undeviating devotion to duty; appreciation of the high order of American citizenship which you display in carrying more than your share of civic burdens; appreciation of your disinterested labor for the common good; and last and most intimately—appreciation of your great and entirely unmerited generosity and loyalty to your retiring president. These things are not sentiments. They are treasures which surpass in richness and in value all other possessions which men gather along that highway which is called "Life."

Significant alike of the civic service in which we are engaged and of the relations which are established by our close association, as co-workers, are the words of another: "

" Men are not tied to one another by papers and seals. They are led to associate by resemblances, by conformities, by sympathies. It is with nations as with individuals. Nothing is so strong a tie of amity between nation and nation as correspondence in laws, customs, manners and habits of life. They have more than the force of treaties in themselves. They are obligations written in the heart."

" Edmund Burke.

CANONS OF ETHICS.

[NOTE.—The following Canons of Professional Ethics were adopted by the American Bar Association at its thirty-first annual meeting at Seattle, Washington, on August 27, 1908, and they are reproduced in the present volume pursuant to the resolution of the Association. See A. B. A. Reports, Vol. XXXIII, pages 86 and 572.]

I.

PREAMBLE.

In America, where the stability of courts and of all departments of government rests upon the approval of the people, it is peculiarly essential that the system for establishing and dispensing justice be developed to a high point of efficiency and so maintained that the public shall have absolute confidence in the integrity and impartiality of its administration. The future of the republic, to a great extent, depends upon our maintenance of justice pure and unsullied. It cannot be so maintained unless the conduct and the motives of the members of our profession are such as to merit the approval of all just men.

II.

THE CANONS OF ETHICS.

No code or set of rules can be framed which will particularize all the duties of the lawyer in the varying phases of litigation or in all the relations of professional life. The following canons of ethics are adopted by the American Bar Association as a general guide, yet the numeration of particular duties should not be construed as a denial of the existence of others equally imperative, though not specifically mentioned:

1. *The Duty of the Lawyer to the Courts.*—It is the duty of the lawyer to maintain towards the Courts a respectful attitude, not for the sake of the temporary incumbent of the judicial office, but for the maintenance of its supreme importance. Judges, not being wholly free to defend themselves, are peculiarly entitled to receive the support of the Bar against unjust criticism and clamor. When-

ever there is proper ground for serious complaint of a judicial officer, it is the right and duty of the lawyer to submit his grievances to the proper authorities. In such cases, but not otherwise, such charges should be encouraged and the person making them should be protected.

2. *The Selection of Judges.*—It is the duty of the Bar to endeavor to prevent political considerations from outweighing judicial fitness in the selection of Judges. It should protest earnestly and actively against the appointment or election of those who are unsuitable for the Bench; and it should strive to have elevated thereto only those willing to forego other employments, whether of a business, political or other character, which may embarrass their free and fair consideration of questions before them for decision. The aspiration of lawyers for judicial position should be governed by an impartial estimate of their ability to add honor to the office and not by a desire for the distinction the position may bring to themselves.

3. *Attempts to Exert Personal Influence on the Court.*—Marked attention and unusual hospitality on the part of a lawyer to a Judge, uncalled for by the personal relations of the parties, subject both the Judge and the lawyer to misconstructions of motive and should be avoided. A lawyer should not communicate or argue privately with the Judge as to the merits of a pending cause, and he deserves rebuke and denunciation for any device or attempt to gain from a Judge special personal consideration or favor. A self-respecting independence in the discharge of professional duty, without denial or diminution of the courtesy and respect due the Judge's station, is the only proper foundation for cordial personal and official relations between Bench and Bar.

4. *When Counsel for an Indigent Prisoner.*—A lawyer assigned as counsel for an indigent prisoner ought not to ask to be excused for any trivial reason, and should always exert his best efforts in his behalf.

5. *The Defense or Prosecution of Those Accused of Crime.*—It is the right of the lawyer to undertake the defense of a person accused of crime, regardless of his personal opinion as to the guilt of the accused; otherwise innocent persons, victims only of suspicious circumstances, might be denied proper defense. Having undertaken such defense, the lawyer is bound by all fair and honorable means, to present every defense that the law of the land permits, to the end that no person may be deprived of life or liberty, but by due process of law.

The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done. The suppression of facts or the secreting of witnesses capable of establishing the innocence of the accused is highly reprehensible.

6. *Adverse Influences and Conflicting Interests.*—It is the duty of a lawyer at the time of retainer to disclose to the client all the circumstances of his relations to the parties, and any interest in or connection with the controversy, which might influence the client in the selection of counsel.

It is unprofessional to represent conflicting interests, except by express consent of all concerned given after a full disclosure of the facts. Within the meaning of this canon, a lawyer represents conflicting interests when, in behalf of one client, it is his duty to contend for that which duty to another client requires him to oppose.

The obligation to represent the client with undivided fidelity and not to divulge his secrets or confidences forbids also the subsequent acceptance of retainers or employment from others in matters adversely affecting any interests of the client with respect to which confidence has been reposed.

7. *Professional Colleagues and Conflicts of Opinion.*—A client's proffer of assistance of additional counsel should not be regarded as evidence of want of confidence, but the matter should be left to the determination of the client. A lawyer should decline association as colleague if it is objectionable to the original counsel, but if the lawyer first retained is relieved, another may come into the case.

When lawyers jointly associated in a cause cannot agree as to any matter vital to the interest of the client, the conflict of opinion should be frankly stated to him for his final determination. His decision should be accepted unless the nature of the difference makes it impracticable for the lawyer whose judgment has been overruled to co-operate effectively. In this event it is his duty to ask the client to relieve him.

Efforts, direct or indirect, in any way to encroach upon the business of another lawyer, are unworthy of those who should be brethren at the Bar; but nevertheless, it is the right of any lawyer, without fear or favor, to give proper advice to those seeking relief against unfaithful or neglectful counsel, generally after communication with the lawyer of whom the complaint is made.

8. *Advising upon the Merits of a Client's Cause.*—A lawyer should endeavor to obtain full knowledge of his client's cause before advising thereon, and he is bound to give a candid opinion of the merits and probable result of pending or contemplated litigation. The miscarriages to which justice is subject, by reason of surprises and disappointments in evidence and witnesses, and through mistakes of juries and errors of Courts, even though only occasional, admonish lawyers to beware of bold and confident assurances to clients, especially where the employment may depend upon such

assurance. Whenever the controversy will admit of fair adjustment, the client should be advised to avoid or to end the litigation.

9. *Negotiations with Opposite Party.*—A lawyer should not in any way communicate upon the subject of controversy with a party represented by counsel; much less should he undertake to negotiate or compromise the matter with him, but should deal only with his counsel. It is incumbent upon the lawyer most particularly to avoid everything that may tend to mislead a party not represented by counsel, and he should not undertake to advise him as to the law.

10. *Acquiring Interest in Litigation.*—The lawyer should not purchase any interest in the subject matter of the litigation which he is conducting.

11. *Dealing with Trust Property.*—Money of the client or other trust property coming into the possession of the lawyer should be reported promptly, and except with the client's knowledge and consent should not be commingled with his private property or be used by him.

12. *Fixing the Amount of the Fee.*—In fixing fees, lawyers should avoid charges which overestimate their advice and services, as well as those which undervalue them. A client's ability to pay cannot justify a charge in excess of the value of the service, though his poverty may require a less charge, or even none at all. The reasonable requests of brother lawyers, and of their widows and orphans without ample means, should receive special and kindly consideration.

In determining the amount of the fee, it is proper to consider: (1) the time and labor required, the novelty and difficulty of the questions involved and the skill requisite properly to conduct the cause; (2) whether the acceptance of employment in the particular case will preclude the lawyer's appearance for others in cases likely to arise out of the transaction, and in which there is a reasonable expectation that otherwise he would be employed, or will involve the loss of other business while employed in the particular case or antagonisms with other clients; (3) the customary charges of the Bar for similar services; (4) the amount involved in the controversy and the benefits resulting to the client from the services; (5) the contingency or the certainty of the compensation; and (6) the character of the employment, whether casual or for an established and constant client. No one of these considerations in itself is controlling. They are mere guides in ascertaining the real value of the service.

In fixing fees it should never be forgotten that the profession is a branch of the administration of justice and not a mere money-getting trade.

13. *Contingent Fees.*—Contingent fees, where sanctioned by law, should be under the supervision of the Court, in order that clients may be protected from unjust charges.

14. *Suing a Client for a Fee.*—Controversies with clients concerning compensation are to be avoided by the lawyer so far as shall be compatible with his self-respect and with his right to receive reasonable recompense for his services; and lawsuits with clients should be resorted to only to prevent injustice, imposition or fraud.

15. *How Far a Lawyer May Go in Supporting a Client's Cause.*—Nothing operates more certainly to create or to foster popular prejudice against lawyers as a class, and to deprive the profession of that full measure of public esteem and confidence which belongs to the proper discharge of its duties, than does the false claim, often set up by the unscrupulous in defense of questionable transactions, that it is the duty of the lawyer to do whatever may enable him to succeed in winning his client's cause.

It is improper for a lawyer to assert in argument his personal belief in his client's innocence or in the justice of his cause.

The lawyer owes "entire devotion to the interest of the client, warm zeal in the maintenance and defense of his rights and the exertion of his utmost learning and ability," to the end that nothing be taken or be withheld from him, save by the rules of law, legally applied. No fear of judicial disfavor or public unpopularity should restrain him from the full discharge of his duty. In the judicial forum the client is entitled to the benefit of any and every remedy and defense that is authorized by the law of the land, and he may expect his lawyer to assert every such remedy or defense. But it is steadfastly to be borne in mind that the great trust of the lawyer is to be performed within and not without the bounds of the law. The office of attorney does not permit, much less does it demand of him for any client, violation of law or any manner of fraud or chicanery. He must obey his own conscience and not that of his client.

16. *Restraining Clients from Improprieties.*—A lawyer should use his best efforts to restrain and to prevent his clients from doing those things which the lawyer himself ought not to do, particularly with reference to their conduct towards Courts, judicial officers, jurors, witnesses and suitors. If a client persists in such wrongdoing the lawyer should terminate their relation.

17. *Ill-Feeling and Personalities Between Advocates.*—Clients, not lawyers, are the litigants. Whatever may be the ill-feeling existing between clients, it should not be allowed to influence counsel in their conduct and demeanor toward each other or toward suitors in the case. All personalities between counsel should be scrupulously avoided. In the trial of a cause it is indecent to allude to the personal history or the personal peculiarities and idiosyncrasies of counsel on the other side. Personal colloquies between counsel which cause delay and promote unseemly wrangling should also be carefully avoided.

18. *Treatment of Witnesses and Litigants.*—A lawyer should always treat adverse witnesses and suitors with fairness and due consideration, and he should never minister to the malevolence or prejudices of a client in the trial or conduct of a cause. The client cannot be made the keeper of the lawyer's conscience in professional matters. He has no right to demand that his counsel shall abuse the opposite party or indulge in offensive personalities. Improper speech is not excusable on the ground that it is what the client would say if speaking in his own behalf.

19. *Appearance of Lawyer as Witness for His Client.*—When a lawyer is witness for his client, except as to merely formal matters, such as the attestation or custody of an instrument and the like, he should leave the trial of the case to other counsel. Except when essential to the ends of justice, a lawyer should avoid testifying in Court in behalf of his client.

20. *Newspaper Discussion of Pending Litigation.*—Newspaper publications by a lawyer as to pending or anticipated litigation may interfere with a fair trial in the Courts and otherwise prejudice the due administration of justice. Generally they are to be condemned. If the extreme circumstances of a particular case justify a statement to the public, it is unprofessional to make it anonymously. An *ex parte* reference to the facts should not go beyond quotation from the records and papers on file in the Court; but even in extreme cases it is better to avoid any *ex parte* statement.

21. *Punctuality and Expedition.*—It is the duty of the lawyer not only to his client, but also to the courts and to the public, to be punctual in attendance, and to be concise and direct in the trial and disposition of causes.

22. *Candor and Fairness.*—The conduct of the lawyer before the Court and with other lawyers should be characterized by candor and fairness.

It is not candid or fair for the lawyer knowingly to misquote the contents of a paper, the testimony of a witness, the language or the argument of opposing counsel, or the language of a decision or a text-book; or with knowledge of its invalidity, to cite as authority a decision that has been overruled, or a statute that has been repealed; or in argument to assert as a fact that which has not been proved, or in those jurisdictions where a side has the opening and closing arguments to mislead his opponent by concealing or withholding positions in his opening argument upon which his side then intends to rely.

It is unprofessional and dishonorable to deal other than candidly with the facts in taking the statements of witnesses, in drawing affidavits and other documents, and in the presentation of causes.

A lawyer should not offer evidence, which he knows the Court should reject, in order to get the same before the jury by argument

for its admissability, nor should he address to the Judge arguments upon any point not properly calling for determination by him. Neither should he introduce into an argument, addressed to the Court, remarks or statements intended to influence the jury or bystanders.

These and all kindred practices are unprofessional and unworthy of an officer of the law charged, as is the lawyer, with the duty of aiding in the administration of justice.

23. *Attitude Toward Jury.*—All attempts to curry favor with juries by fawning, flattery or pretended solicitude for their personal comfort are unprofessional. Suggestions of counsel, looking to the comfort or convenience of jurors, and propositions to dispense with argument, should be made to the Court out of the jury's hearing. A lawyer must never converse privately with jurors about the case; and both before and during the trial he should avoid communicating with them, even as to matters foreign to the cause.

24. *Right of Lawyer to Control the Incidents of the Trial.*—As to incidental matters pending the trial, not affecting the merits of the cause, or working substantial prejudice to the rights of the client, such as forcing the opposite lawyer to trial when he is under affliction or bereavement; forcing the trial on a particular day to the injury of the opposite lawyer when no harm will result from a trial at a different time; agreeing to an extension of time for signing a bill of exceptions, cross interrogatories and the like, the lawyer must be allowed to judge. In such matters no client has a right to demand that his counsel shall be illiberal, or that he do anything therein repugnant to his own sense of honor and propriety.

25. *Taking Technical Advantage of Opposite Counsel; Agreements with Him.*—A lawyer should not ignore known customs or practice of the Bar or of a particular Court, even when the law permits, without giving timely notice to the opposing counsel. As far as possible, important agreements, affecting the rights of clients, should be reduced to writing; but it is dishonorable to avoid performance of an agreement fairly made because it is not reduced to writing, as required by rules of Court.

26. *Professional Advocacy Other Than Before Courts.*—A lawyer openly, and in his true character may render professional services before legislative or other bodies, regarding proposed legislation and in advocacy of claims before departments of government, upon the same principles of ethics which justify his appearance before the Courts; but it is unprofessional for a lawyer so engaged to conceal his attorneyship, or to employ secret personal solicitations, or to use means other than those addressed to the reason and understanding to influence action.

27. *Advertising, Direct or Indirect.*—The most worthy and effective advertisement possible, even for a young lawyer, and especially with his brother lawyers, is the establishment of a well-merited reputation for professional capacity and fidelity to trust. This cannot be forced, but must be the outcome of character and conduct. The publication or circulation of ordinary simple business cards, being a matter of personal taste or local custom, and sometimes of convenience, is not *per se* improper. But solicitation of business by circulars or advertisements, or by personal communications or interviews, not warranted by personal relations, is unprofessional. It is equally unprofessional to procure business by indirection through touters of any kind, whether allied real estate firms or trust companies advertising to secure the drawing of deeds or wills or offering retainers in exchange for executorships or trusteeships to be influenced by the lawyer. Indirect advertisement for business by furnishing or inspiring newspaper comments concerning causes in which the lawyer has been or is engaged, or concerning the manner of their conduct, the magnitude of the interests involved, the importance of the lawyer's positions, and all other like self-laudation, defy the traditions and lower the tone of our high calling, and are intolerable.

28. *Stirring up Litigation, Directly or Through Agents.*—It is unprofessional for a lawyer to volunteer advice to bring a lawsuit, except in rare cases where ties of blood, relationship or trust make it his duty to do so. Stirring up strife and litigation is not only unprofessional, but it is indictable at common law. It is disreputable to hunt up defects in titles or other causes of action and inform thereof in order to be employed to bring suit, or to breed litigation by seeking out those with claims for personal injuries or those having any other grounds of action in order to secure them as clients, or to employ agents or runners for like purposes, or to pay or reward, directly or indirectly, those who bring or influence the bringing of such cases to his office, or to remunerate policemen, court or prison officials, physicians, hospital *attachés* or others who may succeed, under the guise of giving disinterested friendly advice, in influencing the criminal, the sick and the injured, the ignorant or others, to seek his professional services. A duty to the public and to the profession devolves upon every member of the Bar, having knowledge of such practices upon the part of any practitioner, immediately to inform thereof to the end that the offender may be disbarred.

29. *Upholding the Honor of the Profession.*—Lawyers should expose without fear or favor before the proper tribunals corrupt or dishonest conduct in the profession, and should accept without hesitation employment against a member of the Bar who has wronged his client. The counsel upon the trial of a cause in which perjury has been committed owe it to the profession and to the public to

bring the matter to the knowledge of the prosecuting authorities. The lawyer should aid in guarding the Bar against the admission to the profession of candidates unfit or unqualified because deficient in either moral character or education. He should strive at all times to uphold the honor and to maintain the dignity of the profession and to improve not only the law but the administration of justice.

30. *Justifiable and Unjustifiable Litigations.*—The lawyer must decline to conduct a civil cause or to make a defense when convinced that it is intended merely to harass or to injure the opposite party or to work oppression or wrong. But otherwise it is his right, and, having accepted retainer, it becomes his duty to insist upon the judgment of the Court as to the legal merits of his client's claim. His appearance in Court should be deemed equivalent to an assertion on his honor that in his opinion his client's case is one proper for judicial determination.

31. *Responsibility for Litigation.*—No lawyer is obliged to act either as adviser or advocate for every person who may wish to become his client. He has the right to decline employment. Every lawyer upon his own responsibility must decide what business he will accept as counsel, what causes he will bring into Court for plaintiffs, what cases he will contest in Court for defendants. The responsibility for advising questionable transactions, for bringing questionable suits, for urging questionable defenses, is the lawyer's responsibility. He cannot escape it by urging as an excuse that he is only following his client's instructions.

32. *The Lawyer's Duty in Its Last Analysis.*—No client, corporate or individual, however powerful, nor any cause, civil or political, however important, is entitled to receive, nor should any lawyer render any service or advice involving disloyalty to the law whose ministers we are, or disrespect of the judicial office, which we are bound to uphold, or corruption of any person or persons exercising a public office or private trust, or deception or betrayal of the public. When rendering any such improper service or advice, the lawyer invites and merits stern and just condemnation. Correspondingly, he advances the honor of his profession and the best interests of his client when he renders service or gives advice tending to impress upon the client and his undertaking exact compliance with the strictest principles of moral law. He must also observe and advise his client to observe the statute law, though until a statute shall have been construed and interpreted by competent adjudication, he is free and is entitled to advise as to its validity and as to what he conscientiously believes to be its just meaning and extent. But above all a lawyer will find his highest honor in a deserved reputation for fidelity to private trust and to public duty, as an honest man and as a patriotic and loyal citizen.

III.

OATH OF ADMISSION.

The general principles which should ever control the lawyer in the practice of his profession are clearly set forth in the following Oath of Admission to the Bar, formulated upon that in use in the State of Washington, and which conforms in its main outlines to the "duties" of lawyers as defined by statutory enactments in that and many other states of the union *—duties which they are sworn on admission to obey and for the wilful violation of which disbarment is provided:

I DO SOLEMNLY SWEAR:

I will support the Constitution of the United States and the Constitution of the State of;

I will maintain the respect due to Courts of Justice and judicial officers;

I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the Judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject from any consideration personal to myself the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. SO HELP ME GOD.

We recommend this form of oath for adoption by the proper authorities in all the states and territories.

* Alabama, California, Georgia, Idaho, Indiana, Iowa, Minnesota, Mississippi, Nebraska, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington and Wisconsin. The oaths administered on admission to the Bar in all the other States require the observance of the highest moral principle in the practice of the profession, but the duties of the lawyers are not as specifically defined by law as in the States named.

NOTICE AS TO REPORTS.

By order of the Executive Committee, the following prices have been fixed for the reports, which are about sufficient to pay the cost of printing and postage. The earlier volumes are in bad condition. Only *paper* bound volumes of the years 1881 to 1895 inclusive can be furnished.

Vols. 4 to 18 (1881 to 1895), postpaid, paper, 75 cents.

Vols. 19 to 26 (1896 to 1903), postpaid, paper, 75 cents; cloth, \$1.00.

Vols. 27 and 28 (1904 and 1905), postpaid, cloth, \$1.25.

Vol. 29 (1906, Part 1) (American Bar Association Proceedings, only), postpaid, cloth, \$1.00.

Vol. 30 (1906, Part 2) (Proceedings of Sections, Association of American Law Schools, Uniform State Laws), postpaid, cloth, 75 cents.

Vol. 31 (1907), postpaid, cloth, \$1.25.

Vol. 32 (Sharswood's Ethics) will not be sold, but will be furnished without charge, if requested, with Vol. 31, as long as the supply lasts.

Vols. 33 to 37 (1908 to 1912), postpaid, cloth, \$1.25.

Vols. 38 to 40 (1913 to 1915), postpaid, cloth, \$2.00

Each member of the Association will receive, as soon as published, and without cost to him, one copy of the proceedings for each year of his membership; a cloth-bound copy will be sent, unless otherwise directed. Members desiring extra copies, and new members desiring back reports, will be charged the above prices.

Application for Reports may be made to

GEORGE WHITELOCK, *Secretary*,
1416 Munsey Building, Baltimore, Md.



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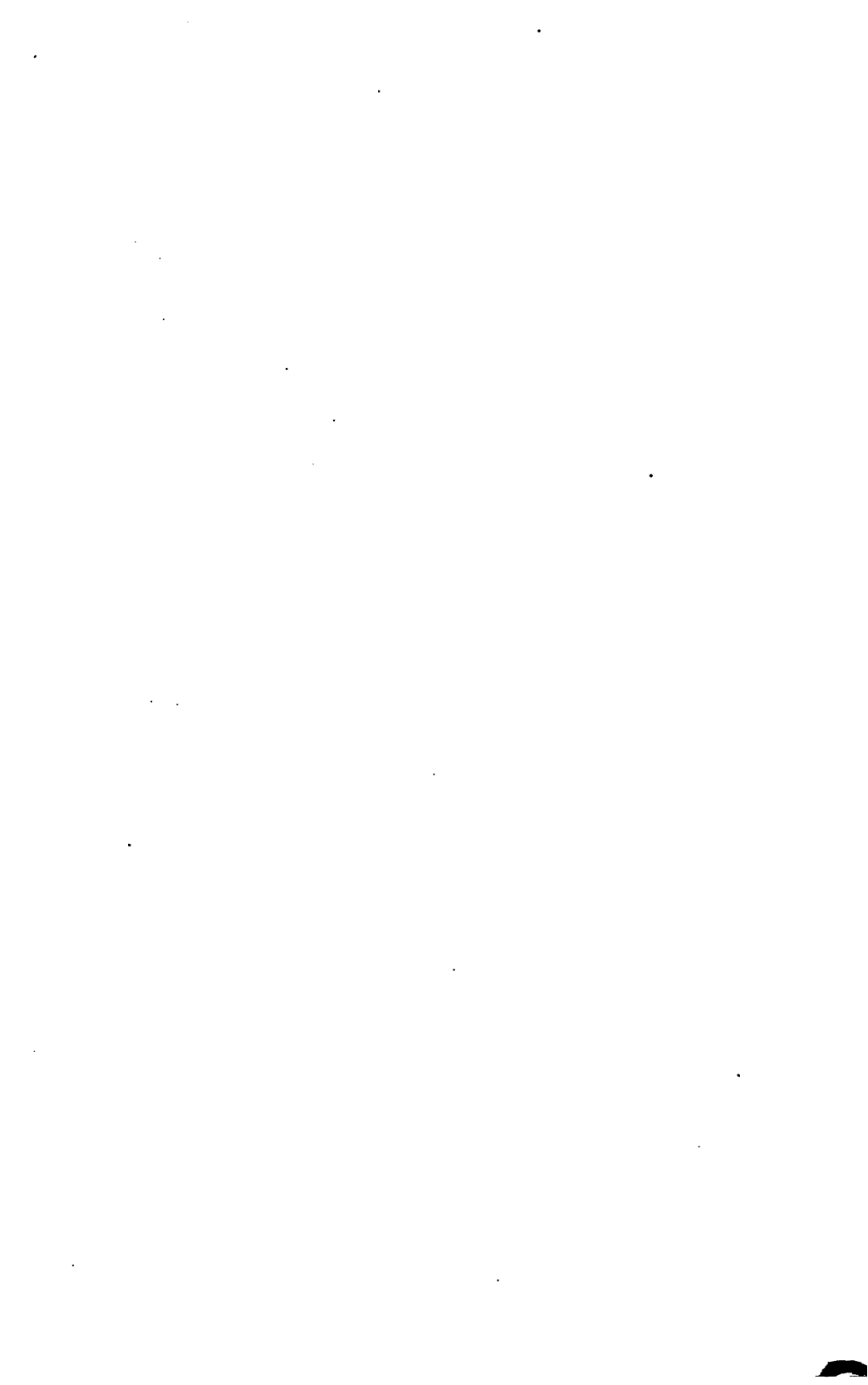
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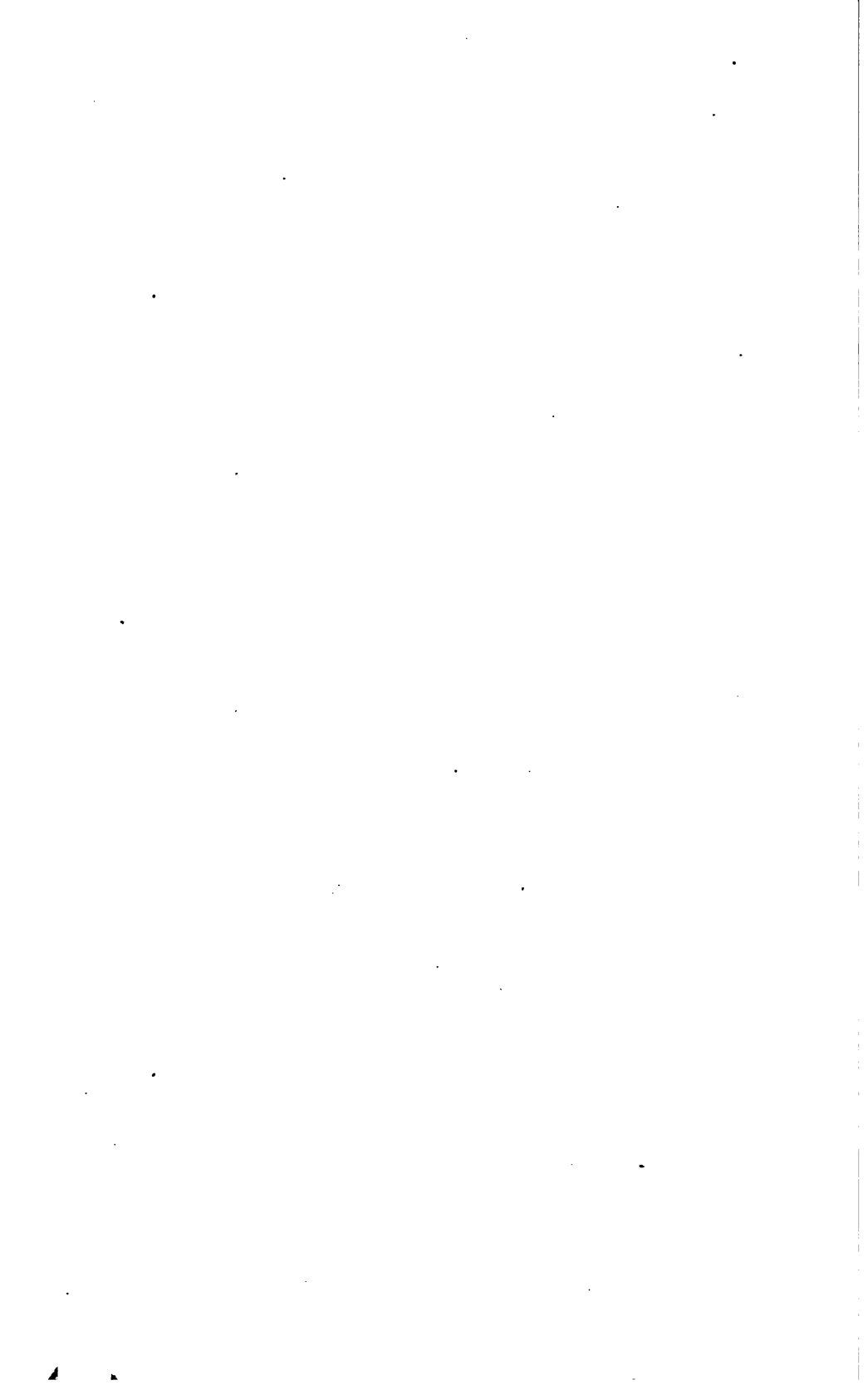
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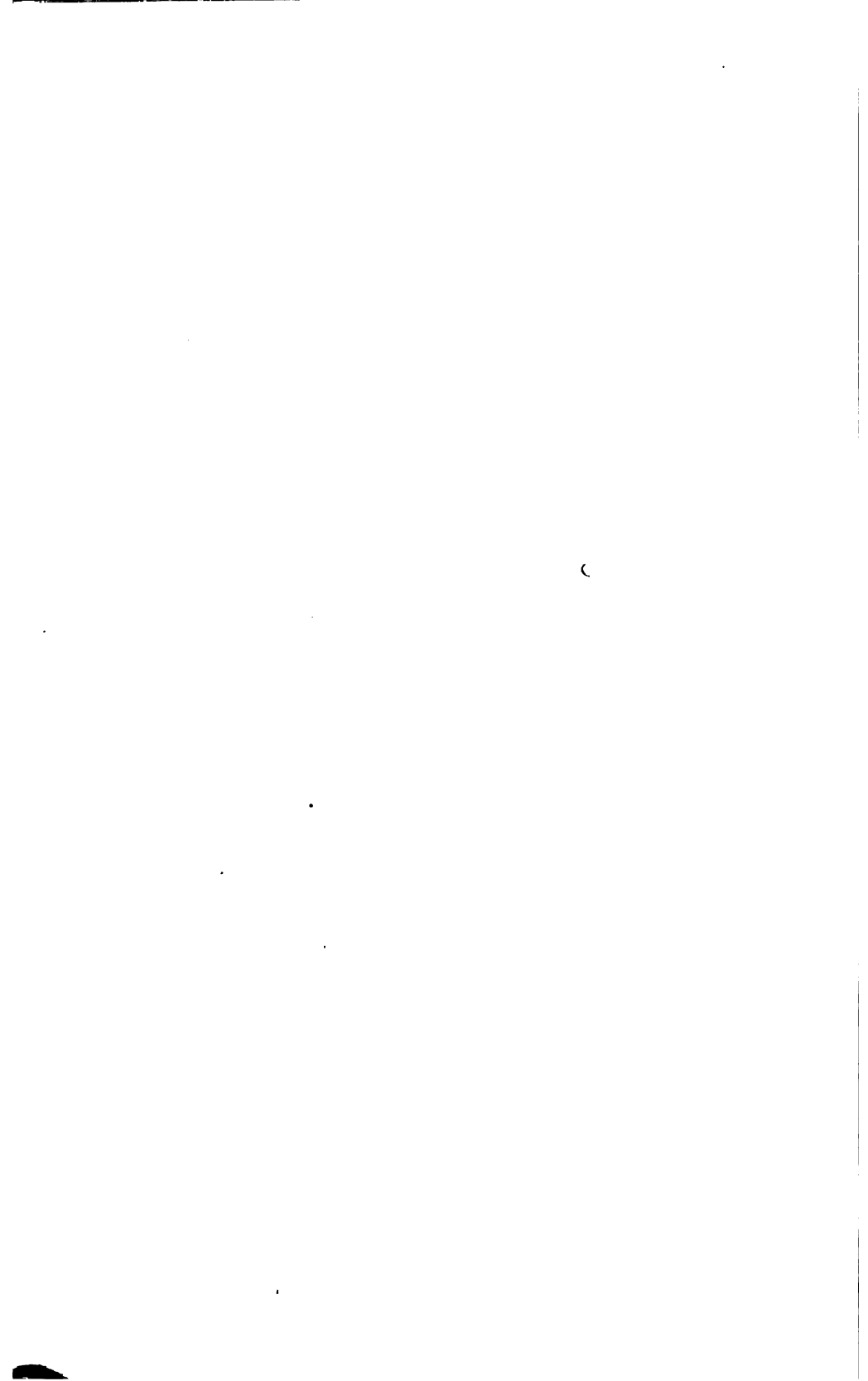
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